

Chapter 66. Zoning Code - Zoning District Uses, Density and Dimensional Standards

ARTICLE I. 66.100. GENERAL PROVISIONS

Sec. 66.101. Use tables.

Use tables in this chapter list permitted and conditional uses in the primary underlying zoning districts, and note applicable development standards and conditions.

- (a) *Permitted uses.* Uses specified with a “P” are permitted in the district or districts where designated, provided that the use complies with all other applicable provisions of this ordinance.
- (b) *Conditional uses.* Uses specified with a “C” are allowed as a conditional use in the district or districts where designated, provided that the use complies with all other applicable provisions of this ordinance. Persons wishing to establish, change, or expand a conditional use shall obtain a permit for such use as specified in Chapter 61.
- (c) *Prohibited uses.* Any use not listed as either “P” (permitted) or “C” (conditional) in a particular district, or any use not determined by the planning commission to be substantially similar to a listed permitted or conditional use, shall be prohibited in that district.
- (d) *Development standards.* Permitted and conditional uses specified with a “✓” in the Development Standards column shall be subject to the specific standards and conditions of Chapter 65. *Land Use Definitions and Development Standards* in addition to all other applicable provisions of this ordinance.
- (e) *Combination of uses.* Any permitted or conditional uses may be combined on a parcel or within a building, provided that all uses meet all other applicable provisions of this ordinance, including any specific development standards.

ARTICLE II. 66.200. RESIDENTIAL DISTRICTS

Division 1. 66.210. Intent

~~Division 2. 60.400. Residential Districts~~

~~Subdivision 1. 60.405. R-LL One-Family Large Lot Residential District~~

Sec. 66.211. ~~60.406. Intent, RL One-Family Large Lot Residential District.~~

The R-LL One-Family Large Lot Residential District is the lowest density residential district. ~~It The intent is to provide~~ for a semirural environment of predominantly low-density, one-family detached dwellings along with ~~other residentially-related~~ civic and institutional uses, public services and utilities that facilities which serve the residents in the district. The district is designed to protect, maintain and enhance wooded areas, wildlife and plant resources, fragile bluff areas, topography and large expanses of natural vegetative cover; to reduce erosion and excessive stormwater runoff associated with higher-density development; and to facilitate installation of private wells and individual sewage treatment systems for one-family detached dwellings.

(Ord. No. 17889, § 12, 11-21-91)

~~Sec. 60.407. Principal uses permitted.~~

~~In the R-LL One-Family Residential District, the use of land, the location and erection of new buildings or structures, and the alteration, enlargement and moving of existing buildings or structures from other locations or districts shall conform to the principal uses as permitted in section 60.412.~~

~~[Replaced with §66.221. Principal Uses in Residential Districts.]~~

~~(Ord. No. 17889, § 12, 11-21-91)~~

~~Sec. 60.408. Principal uses permitted subject to special conditions.~~

~~Additional uses shall be permitted, as allowed in section 60.413, subject to the conditions imposed for each use and subject to the review and approval of the planning commission.~~

~~[Replaced with §66.221 Principal Uses in Residential Districts.]~~

~~(Ord. No. 17889, § 12, 11-21-91)~~

~~Sec. 60.409. Area, bulk and yard setback requirements.~~

~~See Chapter 61, Schedule of Regulations, limiting the height and bulk of buildings, the minimum size of lot permitted by land use, the maximum density permitted and providing minimum yard setback requirements. [This is an unnecessary restatement of §66.231 Density and dimensional standards table for residential districts.]~~

~~(Ord. No. 17889, § 12, 11-21-91)~~

Subdivision 2. 60.410. R-1 through R-4 One-Family Residential Districts

Sec. 66.212. 60.411. Intent, R1-R4 One-Family Residential Districts.

The intent of the R-1 - through R-4 One-Family Residential Districts is to provide for an environment of predominantly low-density, one-family detached dwellings along with other residentially related facilities which civic and institutional uses, public services and utilities that serve the residents in the districts. Because of its their residential nature, this these districts is are not intended for more intensive uses such as small conference centers, private retreat centers and reception houses.

(Code 1956, § 60.411; Ord. No. 17550, § 5, 4-12-88; Ord. No. 17889, § 13, 11-21-91)

~~Sec. 60.412. Principal uses permitted (RLL through R-4 districts).~~ [Replaced with §66.221. Principal Uses in Residential Districts and new Chapter 65. Land Use Definitions and Development Standards.]

~~Sec. 60.413. Principal uses permitted subject to special conditions.~~ [Replaced with §66.221. Principal Uses in Residential Districts and new Chapter 65. Land Use Definitions and Development Standards.]

~~Sec. 60.414. Area, bulk and yard setback requirements.~~

~~See Chapter 61, Schedule of Regulations, limiting the height and bulk of buildings, the minimum size of lot permitted by land use, the maximum density permitted and providing minimum yard setback requirements. [This is an unnecessary restatement of §66.231 Density and dimensional standards table for residential districts.]~~

~~(Code 1956, § 60.414)~~

Subdivision 3. 60.420. RT-1 Two-Family Residential District

Sec. 66.213. 60.421. Intent, RT1 Two-Family Residential District.

The RT=1 Two-Family Residential District ~~provides for an environment of predominantly low density one- and two-family dwellings along with civic and institutional uses and public services and utilities that serve the residents in the district~~ is designed to afford a transition of use in existing housing areas by permitting new construction or conversion of existing structures between adjacent residential and commercial, office, thoroughfares or other uses which would affect residential character. ~~The~~is district also recognizes the existence of older residential areas of the city where larger houses have been or can be converted from single-family to two-family residences in order to extend the economic life of these structures and allow the owners to justify the expenditures for repairs and modernization. ~~This district also allows the construction of new two-family residences where slightly greater densities are permitted. In no case shall more than one (1) main building be allowed per platted lot (except for carriage house apartments as permitted under section 60.413).~~ [This condition does not belong in the intent statement, and is moved to §66.241 under *Required Conditions* for residential districts, a more logical location.] Because of its residential nature, this district is not intended for more intensive uses such as small conference centers, private retreat centers and reception houses.

(Code 1956, § 60.421; Ord. No. 17039, 7-7-83; Ord. No. 17550, § 8, 4-12-88)

~~Sec. 60.422. Principal uses permitted.~~ [Replaced with §66.221. *Principal Uses in Residential Districts* and new *Chapter 65. Land Use Definitions and Development Standards.*]

~~Sec. 60.423. Principal uses permitted subject to special conditions.~~ [Replaced with §66.221. *Principal Uses in Residential Districts* and new *Chapter 65. Land Use Definitions and Development Standards.*]

~~Sec. 60.424. Area, bulk and yard setback requirements.~~

~~See Chapter 61, Schedule of Regulations, limiting the height and bulk of buildings, the minimum size of lot permitted by land use, the maximum density permitted and providing minimum yard setback requirements.~~ [This is an unnecessary restatement of §66.231 *Density and dimensional standards table* for residential districts.]

(Code 1956, § 60.424)

~~Subdivision 4. 60.430. RT-2 Townhouse Residential District~~

Sec. 66.214. 60.431. Intent, RT2 Townhouse Residential District.

The RT=2 Townhouse Residential District ~~is designed to~~ provides sites for two-, three-, and four-family and townhouse structures, ~~along with civic and institutional uses, public services and utilities that serve residents in the district.~~ It is intended to provide for a variety of housing satisfy the needs of people seeking this nature of facility and to serve as zones of transition between one- and two-family residential districts and multiple-family residential districts and business districts. ~~The~~is district also recognizes the existence of older residential areas of the city where larger houses have been or can be converted from single-family to two-, three-, or four-family residences in order to extend the economic life of these structures and allow the owners to justify the expenditures for repairs and modernization. The RT=2 District further provides for housing that has many of the amenities of single-family dwellings arranged in a low-density, multiple-family pattern. Because of its residential nature, this district is not intended for more intensive uses such as small conference centers, private retreat centers and reception houses.

(Code 1956, § 60.431; Ord. No. 17550, § 9, 4-12-88)

~~Sec. 60.432. Principal uses permitted.~~ [Replaced with §66.221. *Principal Uses in Residential Districts* and new *Chapter 65. Land Use Definitions and Development Standards.*]

~~Sec. 60.433. Principal uses permitted subject to special conditions.~~ [Replaced with §66.221. *Principal Uses in Residential Districts* and new Chapter 65. *Land Use Definitions and Development Standards*.]

~~Sec. 60.434. Area, bulk and yard setback requirements.~~

~~See Chapter 61, Schedule of Regulations, limiting the height and bulk of buildings, the minimum size of lot permitted by land use, the maximum density permitted, and providing minimum yard setback requirements.~~ [This is an unnecessary restatement of §66.231 *Density and dimensional standards table* for residential districts.]

~~(Code 1956, § 60.434)~~

~~Subdivision 5. 60.440. RM-1 Low-Density, Low-Rise Multiple-Family Residential District~~

Sec. 66.215. 60.441. Intent, RM1 Low-Density Multiple-Family Residential District.

The RM=1 **Low-Density** Multiple-Family Residential District is ~~designed~~ **intended** to provide sites for **an environment of predominantly one- and two-family, townhouse and lower-density multiple-dwelling structures, along with civic and institutional uses, public services and utilities that serve residents in the district, to provide for a variety of housing** ~~satisfy the needs of people seeking this nature of facility,~~ and to serve as zones of transition between less restricted districts and more restricted districts. The RM-1 District is further provided to permit the construction of attached one-family dwellings in a multiple-family pattern while maintaining the character of the one-family district.

(Code 1956, § 60.441)

~~Sec. 60.442. Principal uses permitted.~~ [Replaced with §66.221. *Principal Uses in Residential Districts* and new Chapter 65. *Land Use Definitions and Development Standards*.]

~~Sec. 60.443. Principal uses permitted subject to special conditions.~~ [Replaced with §66.221. *Principal Uses in Residential Districts* and new Chapter 65. *Land Use Definitions and Development Standards*.]

~~Sec. 60.444. Area, bulk and yard setback requirements.~~

~~See Chapter 61, Schedule of Regulations, limiting the height and bulk of buildings, the minimum size of lot permitted by land use, the maximum density permitted, and providing minimum yard setback requirements.~~ [This is an unnecessary restatement of §66.231. *Density and dimensional standards table* for residential districts.]

~~(Code 1956, § 60.444)~~

~~Subdivision 6. 60.450. RM-2 Medium-Density Low-Rise, Multiple-Family Residential District~~

Sec. 66.216. 60.451. Intent, RM2 Medium-Density Multiple-Family Residential District.

The RM=2 **Medium-Density** Multiple-Family Residential District is ~~designed~~ **intended** to provide for more extensive areas of multiple-family residential development **and a variety of congregate living arrangements,** as well as uses **that serve the needs of** ~~related to the multiple-family residential districts, or uses which serve one-family residential needs and require more extensive sites.~~ The RM-2 District **It is further intended to provided to permit for** comprehensive development of a multiple-family **uses** ~~project so as to establish~~ **and** a balance of population concentration ~~as related to~~ **near** major thoroughfares, **and** transit, and related facilities.

(Code 1956, § 60.451)

~~Sec. 60.452. Principal uses permitted.~~ [Replaced with §66.221. *Principal Uses in Residential Districts* and new Chapter 65. *Land Use Definitions and Development Standards*.]

~~Sec. 60.453. Principal uses permitted subject to special conditions.~~ [Replaced with §66.221. *Principal Uses in Residential Districts* and new Chapter 65. *Land Use Definitions and Development Standards*.]

~~Sec. 60.454. Area, bulk and yard setback requirements.~~

~~See Chapter 61, Schedule of Regulations, limiting the height and bulk of buildings, the minimum size of lot permitted by land use, the maximum density permitted, and providing minimum yard setback requirements.~~ [This is an unnecessary restatement of §66.231 *Density and dimensional standards table* for residential districts.]

(Code 1956, § 60.454)

Subdivision 7. 60.460. RM-3 High-Density, High-Rise Multiple-Family Residential District

Sec. 66.217. 60.461. Intent, RM3 High-Rise Multiple-Family Residential District.

The RM=3 **High-Rise** Multiple Family Residential District is ~~designed~~ **intended** to provide sites for high-density multiple-dwelling structures adjacent to **high-frequency transit service** and high traffic generators commonly found in the proximity of major shopping centers and areas abutting major thoroughfares and expressways. ~~This district~~ **It is also further provided** **designed** to serve the residential needs of persons desiring the apartment-type of accommodations with central services as opposed to the residential patterns found in the RM=1 and RM=2 Multiple-Family Residential Districts. The high-rise nature of the district is provided to allow for greater density with lower coverage, which will in turn result in more open space on lands which would normally require more intensive development.

(Code 1956, § 60.461)

~~Sec. 60.462. Principal uses permitted.~~ [Replaced with §66.221. *Principal Uses in Residential Districts* and new Chapter 65. *Land Use Definitions and Development Standards*.]

~~Sec. 60.463. Principal uses permitted subject to special conditions.~~ [Replaced with §66.221. *Principal Uses in Residential Districts* and new Chapter 65. *Land Use Definitions and Development Standards*.]

~~Sec. 60.464. Area, bulk and yard setback requirements.~~

~~See Chapter 61, Schedule of Regulations, limiting the height and bulk of buildings, the minimum size of lot permitted by land use, the maximum density permitted, and providing minimum yard setback requirements.~~ [This is an unnecessary restatement of §66.231 *Density and dimensional standards table* for residential districts.]

(Code 1956, § 60.464)

Division 2. 66.220. Principal Uses in Residential Districts

Sec. 66.221. Principal uses.

Table 66.221. Principal Uses in Residential Districts lists all permitted and conditional uses in the RL-RM3 Residential Districts, and notes applicable development standards and conditions.

Table 66.221. Principal Uses in Residential Districts

Use	RL	R1-R4	RT 1	RT 2	RM 1	RM 2	RM 3	Development Standards
Residential Uses								
Dwellings								
One-family dwelling	P	P	P	P	P	P		
Two-family dwelling			P	P	P	P		
Three-and four-family dwelling				P	P	P	P	
Townhouse				P	P	P	P	✓
Multiple-family dwelling					P	P	P	
Secondary dwelling	C	C	C	C	C	C		✓
Carriage house dwelling		C	C	C	C	C	C	✓
Cluster development	C	C	C	C	C	C		✓
Housing for the elderly					P	P	P	
Reuse of large structures	C	C	C	C	C	C	C	✓
Mixed Commercial-Residential Uses								
Home occupation	P	P	P	P	P	P	P	✓
Congregate Living								
Foster home, freestanding foster care home	P	P	P	P	P	P	P	
Community residential facility, licensed human service	P	P	P	P/C	P/C	P/C	P/C	✓
Community residential facility, licensed correctional					C	C	C	✓
Community residential facility, health department licensed					C	C	C	✓
Emergency housing facility					C	C	C	✓
Shelter for battered persons	P/C	P/C	P/C	P/C	P/C	P/C	P/C	✓
Transitional housing facility	P/C	P/C	P/C	P/C	P/C	P/C	P/C	✓
Roominghouse, boarding house					C	C	C	✓
Nursing home, boarding care home, assisted living						C	P	✓
Hospice	P	P	P	P	P	P/C	P	✓
Dormitory	P	P	P/C	P/C	P/C	P/C	P/C	✓
Fraternity, sorority	P	P	P/C	P/C	P/C	P/C	P/C	✓
Civic and Institutional Uses								
Educational Facilities								
Day care	P	P	P	P	P	P	P	✓
School, grades K-12	P	P	P	P	P	P	P	✓
College, university, seminary, etc.	C	C	C	C	C	C	C	✓
Social, Cultural, and Recreational Facilities								
Cemetery, mausoleum	C	C	C	C	C	C		✓
Golf course	C	C	C	C	C	C		✓
Public library	P	P	P	P	P	P	P	
Public and private park, playground	P	P	P	P	P	P	P	
Recreation, noncommercial	C	C	C	C	C	C	C	✓
Religious Institutions								
Church, chapel, synagogue, place of worship	P	P	P	P	P	P	P	

Use	RL	R1-R4	RT 1	RT 2	RM 1	RM 2	RM 3	Development Standards
Rectory, parsonage	P	P	P	P	P	P	P	✓
Convent, monastery, religious retreat	P	P	P	P	P	P	P	✓
Public Services and Utilities								
Antenna, cellular telephone	P/C	P/C	P/C	P/C	P/C	P/C	P/C	✓
Municipal building or use	P	P	P	P	P	P	P	✓
Utility or public service building	C	C	C	C	C	C	C	✓
Yard waste site, municipal	C	C	C	C	C	C	C	✓
Commercial Uses								
Medical Facilities								
Hospital, health and medical institution						C	C	✓
Commercial Lodging								
Bed and breakfast residence	P	P	P/C	P/C	P/C	P/C		✓
Parking Facilities								
Shared commercial parking in institutional lots	C	C	C	C	C	C	C	✓
Transportation								
Railroad right-of-way	C	C	C	C	C	C	C	✓
Limited Production								
Agriculture	C	C	C	C	C	C		✓
Accessory Uses								
Accessory use	P	P	P	P	P	P	P	
Accessory retail service and office						C	C	✓
Support services in housing for the elderly						P	P	✓

~~Chapter 61. Zoning Ordinance-- Schedule of Regulations Limiting Height, Bulk, Density, and Area by Zoning Districts~~

~~Sec. 61.101. Residential districts.~~

Division 3. 66.230. Residential District Density and Dimensional Standards

Sec. 66.231. Density and dimensional standards table.

Table 66.231. Residential District Dimensional Standards sets forth density and dimensional standards that are specific to Residential Districts. These standards are in addition to the provisions of Chapter 63. Regulations of General Applicability.

Table 66.231. Residential District Dimensional Standards

Zoning District		Lot Size Minimum (per unit)		Height Maximum		Yard Setbacks Minimum (feet)			
		Area (sq. ft.)	b	Width (feet)	Stories	Feet	Front	Side	Rear
RL	One-Family Large Lot	21,780	d	80	3	350	30 g,h	10 h	25 h
R1	One-Family	9,600	e	80	3	350	30 g,h	10 h	25 h
R2	One-Family	7,200		60	3	350	25 g,h	8 h	25 h
R3	One-Family	6,000		50	3	350	25 g,h	6 h	25 h
R4	One-Family	5,000		40	3	350	25 g,h	4 h	25 h
RT1	Two-Family	3,000	f	25	3	40	25 g,h	9 h	25 h
RT2	Townhouse	2,500	c,f	20	3	40	25 g,h	9 h,i	25 h
RM1	Multiple-Family	2,000	c,f	n/a	3	40	25 g,h	½ height h,i ±5	25 h,i
RM2	Multiple-Family	1,500	c,f	n/a	5	50	25 g,h	½ height h,i ±5	25 h,i
RM3	Multiple-Family	800	c	n/a	no max.	no max.	50 g,h,j	50 h,i,j	50 h,i,j

n/a - not applicable

[This table replaces the old *Sec. 61.101. Residential districts* schedule of regulations table. Changes to the numbering and text of the notes to the old table are indicated below. Generally, there is more logical organization and simpler, more straightforward language. In the table above, the slight increase in the height allowance for one-family structures is consistent with the Minneapolis standard as well as the new *Traditional Neighborhood District Dimensional Standards*, and will eliminate a large number of variance applications that make little difference and are almost always granted. The proposed new lot width requirement for townhouses is also consistent with the new *Traditional Neighborhood Development District Dimensional Standards*.]

Notes to **Table 66.231. 61.101. Residential Districts Dimensional Standards:**

- (a) **R4 One-Family District dimensional standards shall apply when one-family dwellings are erected in less restrictive residential districts. RT1 Two-Family District dimensional standards shall apply when two-family dwellings are erected in less restrictive residential districts. RM2 Multiple-Family District dimensional standards shall apply when multiple-family residential dwellings five (5) stories or less in height are constructed in an RM3 Multiple-Family District.**
[The rules for applying R4 and RT1 dimensional standards are currently contained in the list of permitted residential uses. This is a more logical location. The rule for applying RM2 dimensional standards is moved here from item (i) below.]
- (b) **In calculating the area of a lot that adjoins a dedicated public alley, for the purpose of applying lot area and density requirements, one-half the width of such alley adjoining the lot shall be considered as part of the lot.** [Moved here from old footnote (e) below.]
- (c) **In calculating the area of a lot for the purpose of applying the minimum lot area per unit requirement, the lot area figure may be increased by three hundred (300) square feet for each required parking space (up to two parking spaces per unit) within the a multiple-family structure or otherwise completely underground, the lot area figure may be increased by three hundred (300) square feet. Parking spaces within an above-ground parking structure, except for the top level, may also be used for this lot area bonus. The maximum number of units possible on a lot using this lot area bonus can be calculated using the formula $X = L \div (A - 600)$, where X = maximum units allowed, L = lot area in square feet, and A = required lot area per unit in square feet. A site plan showing parking layout and dimensions shall be required when applying for this underground parking lot area bonuses showing layout and dimensions. No multiple-family dwelling shall be built, nor shall any existing structure be converted to a multiple-family dwelling, on a lot that is less than ten nine thousand (10,000**

9,000) square feet in area.

[Last sentence moved here from old footnote (e) below. A primary implication of the 9000 sq. ft. requirement is to require 3000 sq. ft. of lot area per unit for a 3-plex in RT2, consistent with the 3000 sq. ft. of lot area per unit for a duplex in RT1. It also requires at least 9000 sq. ft. of lot area for 4-plexes, which would otherwise be allowed on 8000 sq. ft. in RM1 and on 4500 sq. ft. in RM2.]

- (dk) A larger ~~The actual~~ lot size may be **required** depending on how much square footage is **actually** needed to properly site and install an individual sewage treatment system. [clarifies intent]
- (ef) ~~The minimum lot size for residential lots created after the effective date of this ordinance [Ordinance No. 17889]; Where over half of the lot has slopes of twelve (12) percent or greater, the minimum lot size shall be fifteen thousand (15,000) square feet. The minimum lot size for residential lots created after the effective date of this ordinance [Ordinance No. 17889], where over half of the lot has slopes of less than twelve (12) percent, shall be nine thousand six hundred (9,600) square feet. When determining lot size, the slope shall be that in existence prior to any grading or filling. Alterations shall not be allowed that will lower the slope from twelve (12) percent or greater to less than twelve (12) percent prior to the creation of new lots. [Deleted language is redundant and unnecessary. This lot area standard applies to creation of new lots; one-family dwellings may be built on existing nonconforming lots under the *nonconforming lots* provisions in this code.]~~
- (fe) If townhouses are developed on parcels where only the land immediately beneath each dwelling unit constitutes an individually described lot and all other land required for yards, other open space, parking, and other necessary land as required by this code constitutes "common" properties, jointly owned by the owners of the described lots beneath each dwelling unit, the minimum size lot per unit shall be applied to the entire parcel.
- (e) ~~In an RT-2 Townhouse District, the total number of rooms (not including kitchen, dining and sanitary facilities) shall not be more than the area of the parcel, in square feet, divided by one thousand one hundred (1,100).~~
- ~~— In an RM-1 Multi-Family District the total number of rooms (not including kitchen, dining and sanitary facilities) shall not be more than the area of the parcel, in square feet, divided by nine hundred (900).~~
- ~~— In an RM-2 Multiple-Family District the total number of rooms (not including kitchen, dining and sanitary facilities) shall not be more than the area of the parcel, in square feet, divided by six hundred (600).~~
- ~~— In an RM-3 Multiple-Family District the total number of rooms (not including kitchen, dining and sanitary facilities) shall not be more than the area of the parcel, in square feet, divided by three hundred (300).~~
- ~~— In RT-2, RM-1, RM-2 and RM-3 Districts, for the purpose of computing the permitted number of dwelling units, the following room assignments shall control:~~
 - ~~— One Bedroom = 2 rooms~~
 - ~~— Two Bedroom = 3 rooms~~
 - ~~— Three Bedroom = 4 rooms~~
 - ~~— Four Bedroom = 5 rooms~~
 - ~~— Plans presented showing 1, 2, 3, or 4 bedroom units and including a "den," "library" or other extra room shall count such extra room as a bedroom for the purpose of computing density. Efficiency apartments shall have the same room assignment as a one bedroom unit.~~

[This deleted complex density formula, which artificially discourages larger units and amenities such as a den, is replaced with simple, clear minimum lot area per unit figures right in the table. The proposed more straightforward calculation is used in most zoning codes. The proposed per unit figures are consistent with the existing Saint Paul requirements and those for parallel Minneapolis zoning districts.]

~~In RT-2, RM-1, RM-2 and RM-3 Districts, The area used for computing density shall be the zoning lot area plus half of the width of the alley adjoining the lot. In RT-2, RM-1, RM-2 and RM-3 Districts~~ [This is moved to new item (b) above.]

~~No multiple-family dwelling unit shall be built, nor shall any existing structure be converted to a multiple-family dwelling, on a zoning lot which is less than ten thousand (10,000) square feet in area.~~ [This is moved to new item (c) above.]

- (ga) Where at least fifty (50) percent of the front footage of any block is built up with principal structures, the **minimum** front yard setback for new structures shall be **equal to the average setback of the existing structures, or the normal setback requirement in the district plus half the amount the average setback is greater than the normal setback requirement, whichever is less.** ~~except that any Existing structures which is set back twenty (20) percent more or less than the average may~~ **shall** be discounted from the formula. [This is consistent with the parallel note to Table 66.320. *Traditional Neighborhood District Dimensional Standards*, and will eliminate a large number of variance applications for reduced setbacks that make little difference and are always granted.]
- (h) b) For ~~those uses~~ **permitted and conditional principal uses allowed** in residential districts (~~R-LL, R-1 through R-4, RT-1, RT-2, and RM-1 through RM-3~~) as "principal uses" and "principal uses permitted subject to special conditions," other than residential uses, the front yard shall be equal to the front yard required for residential use and the side and rear yards shall be equal to one-half the height of the building but in no instance less than the minimum requirements of the district in which said use is located.
- (d) ~~In the RT-2 District, when two (2) or more buildings are constructed on a single parcel, there shall be a distance of at least eighteen (18) feet between buildings.~~ [Moved to item (i) below.]
- (i f) Side yards are required only for dwelling units on the ends of ~~the~~ townhouse structures. **When two (2) or more one-family, two-family, or townhouse structures are constructed on a single parcel, there shall be a distance of at least twelve (12) feet between principal buildings.** [This is an appropriate separation for townhouse structures, which have ends similar in mass to one-family buildings.]
- (h) ~~In an RM-1, RM-2, or RM-3 District, When two (2) or more multifamily buildings are constructed on the a single parcel, there shall be a distance of at least thirty (30) eighteen (18) feet between principal buildings.~~ [This is consistent with the 18 foot separation requirement for multifamily buildings on separate parcels in RT2. It should not be greater for buildings on the same parcel in RM1-RM3.]
- (i) ~~In an RM-3 District, multiple-family residential buildings five (5) stories or less in height shall conform to the requirements of the RM-2 "Schedule of Regulations," section 61.101, Residential Districts.~~ [Moved to item (a) above.]
- (j) **Minimum front, side and rear setbacks shall be fifty (50) feet or one-half the building height, whichever is less.** [This is consistent with RM2 setback requirements, and will no longer require a much greater setback for a 60 foot high building in RM3 than for a 50 foot high building in RM2.]
- (j) ~~The building width on any side shall be at least twenty-two (22) feet. The building width shall not include entryways or other appurtenances that do not run the full length of the building.~~ [Moved to *Sec. 66.223. Minimum building width.* below.]

(Code 1956, § 61.101; Ord. No. 16956, 9-9-82; Ord. No. 17039, 7-7-83; Ord. No. 17204, 1-15-85; Ord. No. 17524, § 19, 1-6-88; Ord. No. 17889, § 17, 11-21-91; C.F. No. 98-216, § 5, 4-8-98)

Sec. 66.232. Maximum lot coverage.

In Residential Districts, principal structures shall not cover more than thirty-five (35) percent of any zoning lot. [This replaces a column in the old residential districts schedule of regulations table. Slightly increasing the lot coverage allowance from 30% to 35% will eliminate a large number of variance applications that make little difference and are always granted. The definition of “*zoning lot*” covers the issue of townhouses developed on parcels where land under individual units are individually owned and other land is jointly owned.]

Sec. 66.233. Minimum building width.

In Residential Districts, the building width on any side of one-family and two-family dwellings shall be at least twenty-two (22) feet, not including entryways or other appurtenances that do not run the full length of the building. [This replaces a column in the old residential district schedule of regulations table.]

Division 4. 66.240. Required Conditions

Sec. 66.241. Number of main (principal) buildings.

In RL-RT1 Residential Districts, there shall be no more than one (1) main (principal) residential building per zoning lot, except as specifically allowed as a conditional use in the district. [Moved here from §60.421. *Intent.*] RT2-RM3 Residential Districts allow multiple residential buildings on a zoning lot. A carriage house building in RT2-RM3 Residential Districts may be regulated as an additional principal residential building or as a carriage house dwelling. [This clarifies existing language and practice.]

ARTICLE III. 66.300. TRADITIONAL NEIGHBORHOOD DISTRICTS

[NOTE: Language in **Article III, 66.300**, Traditional Neighborhood Districts **is entirely new language.**]

Division 1. 66.310. Intent

Sec. 66.311. General intent, TN Traditional Neighborhood districts.

TN Traditional Neighborhood districts are intended to foster the development and growth of compact, pedestrian-oriented urban villages. All three districts are intended to encourage a compatible mix of commercial and residential uses within buildings, sites and blocks; new development in proximity to major transit streets and corridors; and additional choices in housing.

Sec. 66.312. Intent, TN1 Traditional Neighborhood District.

The TN1 Traditional Neighborhood District is intended to provide for compact, pedestrian-oriented mixed-use areas of limited size, with a variety of residential, office and service uses that primarily serve neighborhood needs. It is also intended to serve as a transitional use of land along major thoroughfares, between commercial or industrial districts and residential districts or other less intensive land uses.

Sec. 66.313. Intent, TN2 Traditional Neighborhood District.

The TN2 Traditional Neighborhood District is designed for use in existing or potential pedestrian and transit nodes. Its intent is to foster and support compact, pedestrian-oriented commercial and residential development that, in turn, can support and increase transit usage. It encourages, but does not require, a variety of uses and housing types, with careful attention to the amount and placement of parking and transitions to adjacent residential neighborhoods.

Sec. 66.314. Intent, TN3 Traditional Neighborhood District.

The TN3 Traditional Neighborhood District provides for higher-density pedestrian- and transit-oriented mixed-use development. It is designed for development or redevelopment of land on sites large enough to support:

- (a) a mix of uses, including residential, commercial, civic and open space uses in close proximity to one another;
- (b) a mix of housing styles, types and sizes to accommodate households of varying sizes, ages and incomes;
- (c) a system of interconnected streets and paths that offer multiple routes for motorists, pedestrians and bicyclists, and are connected to existing and future streets;
- (d) a system of open space resources and amenities; and incorporation of environmental features into the design of the neighborhood.

The TN3 District is also intended for smaller sites in an existing mixed-use neighborhood center where some of the above elements already exist, or in an area identified in the comprehensive plan as a potential “urban village” site. The above elements may be found within the TN3 district or adjacent to it; the intent is that all would be present within a reasonable walking distance.

Division 2. 66.320. Principal Uses in Traditional Neighborhood Districts

Sec. 66.321. Principal uses.

Table 66.321. Principal Uses in Traditional Neighborhood Districts lists all permitted and conditional uses in the TN1-TN3 Traditional Neighborhood Districts, and notes applicable development standards and conditions.

Table 66.321. Principal Uses in Traditional Neighborhood Districts

Use	TN1	TN2	TN3	Development Standards
Residential Uses				
Dwellings				
One-family dwelling	P	P	P	✓
Two-family dwelling	P	P	P	
Townhouse	P	P	P	
Multiple-family dwelling	P	P	P	
Secondary dwelling	C	C	P	✓
Carriage house dwelling	C	C	P	✓
Housing for the elderly	P	P	P	
Mixed Commercial-Residential Uses				
Home occupation	P	P	P	✓
Live-work unit	P	P	P	✓
Congregate Living				
Foster home, freestanding foster care home	P	P	P	
Community residential facility, licensed human service	P	P	P	✓
Community residential facility, licensed correctional	C	C	C	✓
Community residential facility, health department licensed	C	C	C	✓

Use	TN1	TN2	TN3	Development Standards
Emergency housing facility	C	C	C	✓
Shelter for battered persons	P/C	P/C	P/C	✓
Transitional housing facility	P/C	P/C	P/C	✓
Roominghouse, boardinghouse	C	P	C	✓
Nursing home, boarding care home, assisted living	P	P	P	✓
Hospice	P	P	P	✓
Dormitory	P/C	P	P	✓
Fraternity, sorority	P/C	P	P	✓
Civic and Institutional Uses				
Educational Facilities				
Day care	P	P	P	✓
School, grades K-12	P	P	P	✓
College, university, seminary, etc.	P	P	P	✓
Trade school, arts school, dance school, etc.	P	P	P	
Social, Cultural, and Recreational Facilities				
Museum	P/C	P	P	✓
Public library	P	P	P	
Public and private park, playground	P	P	P	
Recreation, noncommercial	P	P	P	
Religious Institutions				
Church, chapel, synagogue, place of worship	P	P	P	
Rectory, parsonage	P	P	P	✓
Convent, monastery, religious retreat	P	P	P	✓
Public Services and Utilities				
Antenna, cellular telephone	P/C	P/C	P/C	✓
Municipal building or use	P	P	P	✓
Utility or public service building	C	C	C	✓
Commercial Uses				
Offices				
Administrative office	P	P	P	
Artist, photographer studio, etc.	P	P	P	
Insurance office, real estate office, sales office	P	P	P	
Professional office	P	P	P	
Medical Facilities				
Clinic, medical or dental	P	P	P	
Hospital		C	C	✓
Medical laboratory	P	P	P	
Veterinary clinic		P	P	✓
Retail Sales and Services				
General retail		P/C	P/C	✓
Bank, credit union	P	P	P	
Drive-through sales and services, primary and accessory		C		✓
Dry cleaning, commercial laundry		P	P	✓

Use	TN1	TN2	TN3	Development Standards
Food and related goods sales		P/C	P/C	✓
Food shelf	P	P	P	
Garden center, outdoor		P	P	✓
Laundromat, self -service		P	P	
Liquor store		P/C	P/C	✓
Massage center	P	P	P	
Mortuary, funeral home		P	P	
Photocopying	P	P	P	✓
Post office	P	P	P	
Service business	P	P	P	✓
Service business with showroom or workshop		P	p	✓
Small appliance repair		P	P	
Tobacco shop		P	P	
Food and Beverages				
Brew on premises store		P	P	✓
Catering		P	P	
Coffee shop, tea house	P/C	P	P	✓
Restaurant		P/C	P/C	✓
Restaurant, carry out , deli		P/C	P/C	✓
Restaurant, fast food		P/C	P/C	✓
Restaurant, outdoor		P	P	✓
Commercial Recreation, Entertainment and Lodging				
Bed and breakfast residence	P	P	P	✓
Hotel, inn		P	P	
Health/sports club		P	P	
Indoor recreation		C	C	✓
Theater, assembly hall		C	C	✓
Automobile Services				
Auto convenience market		C	C	✓
Auto service station			C	✓
Parking Facilities				
Parking facility, commercial			C	✓
Transportation				
Railroad right-of-way	C	C	C	✓
Limited Production and Processing				
Limited production and processing		P/C	P/C	✓
Printing and publishing		P/C	P/C	✓
Accessory Uses				
Accessory use	P	P	P	

Division 3. 66.330. Traditional Neighborhood District Density and Dimensional Standards

Sec. 66.331. Density and dimensional standards table.

Table 66.331. *Traditional Neighborhood District Dimensional Standards* sets forth density and dimensional standards that are specific to Traditional Neighborhood Districts. These standards are in addition to the provisions of *Chapter 63. Regulations of General Applicability*.

Table 66.331. Traditional Neighborhood District Dimensional Standards

Building Type by Zoning District	Density	Lot Size Minimum (per unit)		Height		Yard Setbacks (Feet)		
	Min. - Max. a	Area (sq. ft.) a	Width (feet)	Min. (stories)	Max. (feet)	Front Min. - Max.	Side Min.	Rear Min.
TN1								
1-family dwelling	6 - 12 units / acre b	3,500 b	30	none	35 d	15 - 25 h	i	15
2-family / townhouse	8 - 20 units / acre b	2,000 b	20	none	35 d	10 - 25 h	i	15
Multifamily	10 - 25 units / acre b	1,700 b	n/a	none	35 d	15 - 25 h	i	i
Non-residential or mixed use (including parking structures)	0.3 - 1.0 FAR	n/a	n/a	none	35 d	0 - 15	i	i
TN2								
1-family dwelling	6 - 12 units / acre b	3,500 b	30	none	35 d	15 - 25 h	i	15
2-family / townhouse	8 - 20 units / acre b	2,000 b	20	none	35 d	10 - 25 h	i	15
Multifamily	10 - 34 units / acre b	1,300 b	n/a	none	35 d,e	15 - 25 h	i	i
Non-residential or mixed use (including parking structures)	0.5 - 2.0 FAR with surface parking 0.5 - 3.0 FAR with structured parking c	n/a	n/a	none	35 d,e	0 - 10	i	i
TN3								
1-family dwelling	8 - 12 units / acre b	3,500 b	30	2	35 d	15 - 25 h	i	15
2-family / townhouse	10 - 20 units / acre b	2,000 b	20	2	35 d	10 - 25 h	i	15
Multifamily	30 - 44 units / acre b	1,000 b	n/a	2	45 d,f	15 - 25 h	i	i
Non-residential or mixed use	1.0 - 3.0 FAR	n/a	n/a	2	55 f	0 - 10	i	i
Parking structures	n/a	n/a	n/a	n/a	45 g	0 - 25	20	20

Min. - Minimum Max. - Maximum FAR - Floor Area Ratio n/a - not applicable

Notes to Table 66.331. Traditional Neighborhood District Dimensional Standards:

- Units per acre is calculated based on net acreage for residential development. Density based on units per acre must be calculated for parcels of an acre or more in size. For smaller parcels, the maximum number of units may be calculated based upon minimum lot size per unit. In calculating the area of a lot that adjoins a dedicated public alley, for the purpose of applying lot area and density requirements, one-half the width of such alley adjoining the lot shall be considered as part of the lot.
- In calculating the area of a lot for the purpose of applying lot area and density requirements, the lot area figure may be increased by three hundred (300) square feet for each parking space (up to two parking spaces per unit) within a multiple-family structure or otherwise completely underground. Parking spaces within an above-ground parking structure, except for those on the top level, may also be used for this lot area bonus. The maximum number of units possible on a lot using this lot area bonus can be calculated using the formula $X = L \div (A - 600)$, where

X = maximum units allowed, L = lot area in square feet, and A = required lot area per unit in square feet. A site plan showing parking layout and dimensions shall be required when applying for this lot area bonus.

- (c) Floor area ratio (FAR) shall be prorated upon the percentage of required parking that is provided as structured parking.
- (d) Height of structure may exceed the maximum if set back from side and rear setback lines a distance equal to additional height.
- (e) A maximum height of forty-five (45) feet may be permitted with a conditional use permit when the structure is within six hundred (600) feet of an existing or planned transit stop on a designated transit street. A maximum height of sixty-five (65) feet may be permitted with a conditional use permit for property along University Avenue within six hundred (600) feet of an existing or planned transit stop, except on the following blocks, where heights greater than forty-five (45) feet would generally be incompatible with the surrounding neighborhoods: north side of University Avenue between Aldine Street and Fry Street, between Asbury Street and St. Albans Street, and between Kent Street and Galtier Street; and south side of University Avenue between Oxford Street and St. Albans Street, and between Mackubin Street and Galtier Street.
- (f) A maximum height of ninety (90) feet may be permitted with a conditional use permit, with the following exception. In developments for which a master plan was adopted by the City Council as of August 23, 2001, and for which there was a signed, approved redevelopment agreement with the Housing and Redevelopment Authority of the city as of August 23, 2001, a maximum height of sixty-five (65) feet may be permitted without a conditional use permit, and a maximum height of one hundred (100) feet may be permitted with a conditional use permit, provided that such developments, to the extent reasonably possible, follow the design guidelines of the “Sustainable Decisions Guide for City Facilities” or other sustainable development guidelines. In the River Corridor Overlay District, the conditional use permit shall be subject to the retention of critical views and vistas from public rights-of-way and open spaces. Critical views and vistas shall be as defined in the city comprehensive plan or by the planning administrator. In order to determine impact on critical views and vistas, the conditional use permit application shall include detailed plans of the proposed building(s) and, for each critical view, at least the following: 1) the height, width and grade elevation(s) of the proposed building(s); 2) the height of significant landmarks and/or geographical features; 3) a series of photographic images showing “before” (as is) and “after” (with the proposed structures) conditions; 4) a comparison of the view impact of a building(s) meeting the forty-five (45) or fifty (55) foot height standard with the view impact of the proposed taller building(s). In determining impact on critical views and vistas, the planning commission shall make findings related to the following: 1) the accuracy of the information and compliance with the requirements above; 2) the extent to which critical views and vistas are retained; 3) the impact on views and vistas of the portion(s) of the building(s) that exceed the forty-five (45) or fifty-five (55) foot height standard; and (4) proposed actions by the applicant to minimize impacts on critical views and vistas. This requirement shall not apply to developments in the River Corridor Overlay District for which a master plan was adopted by the City Council as of August 23, 2001, and for which there was a signed, approved redevelopment agreement with the Housing and Redevelopment Authority of the city as of August 23, 2001.
- (g) A maximum height of sixty-five (65) feet may be permitted with a conditional use permit.
- (h) Where at least fifty (50) percent of the front footage of the block is built up with principal

structures, the minimum front yard setback for new structures shall be the average setback of the existing structures, or the normal setback requirement in the district plus half the amount the average setback is greater than the normal setback requirement, whichever is less. Existing structures set back twenty (20) percent more or less than the average shall be discounted from the formula. The minimum front yard setback shall not exceed the maximum front yard setback requirement. Sixty (60) percent of the front facade must fall within the maximum setback.

- (i) No side or rear yards are required along the interior lot lines except as otherwise specified in the building code; provided, that if walls of structures facing such interior lot lines contain windows or other openings, yards of not less than six (6) feet shall be provided. Side and rear yards of at least six (6) feet shall be required when a nonresidential use adjoins a side yard of a residential property. These setback requirements from interior lot lines shall be waived when an easement agreement is recorded as to the affected properties. Proof of such recorded easement shall be provided at the time of application for a building permit. The recording of the easement agreement shall be interpreted to mean that the following intents and purposes of these setback requirements are met: adequate supply of light and air to adjacent property; sufficient space for maintenance of the building from the same lot; and prevention of damage to adjoining property by fire or runoff from roofs.

Division 4. 66.340. Required Conditions

Sec. 66.341. Required conditions in TN1-TN2 Traditional Neighborhood Districts.

- (a) *Amount of parking.*
 - (1) The minimum amount of required parking shall be as specified in Chapter 63.
 - (2) The maximum amount of surface parking shall not exceed the specified minimum by more than ten (10) percent or two spaces, whichever is greater. If additional parking is desired, it must be placed underground, within an enclosed building, or in a tuck-under garage.
 - (3) For properties having frontage on a transit street, as defined, the minimum amount of required off-street parking for nonresidential uses, as specified in Chapter 63, may be reduced by up to twenty-five (25) percent.
 - (4) For properties within one-quarter (¼) mile of a transit street, as defined, the minimum amount of required off-street parking for residential uses may be reduced to one parking space per dwelling unit. This provision applies to principal and secondary dwelling units and units in mixed-use buildings, but not to live-work units.
- (b) *Placement of parking.* Surface parking may be located:
 - (1) To the rear of the principal building or within the rear yard area of the parcel;
 - (2) In an interior side yard if rear parking is impractical or insufficient, provided that surface parking areas and entrance drives occupy no more than fifty (50) percent of the total lot frontage;
 - (3) On a separate lot, in compliance with Section 63.304.
 - (4) If a variance of this parking placement requirement is necessary to allow parking in front of a building because of special needs and site constraints, there should be a good

pedestrian connection between the sidewalk and building entrance, and the area should be well landscaped.

- (c) In the TN1 District, all activities except for off-street parking and loading shall take place within completely enclosed buildings, with the exception of outdoor seating areas for coffee shops or similar uses. Drive-through sales and services (primary or accessory) are not allowed in the TN1 District, and are not allowed unless specifically permitted by a conditional use permit in the TN2 District.
- (d) Storefronts or ground floors originally designed for commercial use shall not be converted to more than fifty (50) percent residential use without a conditional use permit. In conversion from commercial to residential use, the elements of traditional storefront design, where present, shall be retained. These include door and window openings, display windows, intermediate cornice lines, sign bands, awnings, arcades, and primary entrances facing the public street.
- (e) In mixed-use buildings, nonresidential uses shall be located on the first floor or lower floors of the building. Residential units in mixed-use buildings may be located on any floor, but not directly beneath a nonresidential use.

Sec. 66.342. Parking requirements in the TN3 Traditional Neighborhood District.

- (a) *Amount of parking.*
 - (1) The minimum amount of required parking shall be two-thirds of the minimum specified in Chapter 63. On-street parking located along the frontage of a property may be used to meet parking requirements for that property.
 - (2) The maximum amount of off-street surface parking shall not exceed one hundred (100) percent of the minimum specified in Chapter 63. If additional parking is desired, it must be placed underground, within an enclosed building, or in a tuck-under garage.
- (b) *Placement of parking.* Surface parking may be located:
 - (1) To the rear of the principal building or within the rear yard area of the parcel.
 - (2) In an interior side yard if rear parking is impractical or insufficient. Surface parking areas and entrance drives accessory to a principal building or use may occupy no more than thirty (30) percent of the total lot frontage.
 - (3) On a separate lot, in compliance with Section 63.304, provided that surface parking is not permitted as the principal use of a lot unless it is shared among multiple businesses or uses.
 - (4) If a variance of this parking placement requirement is necessary to allow parking in front of a building because of special needs and site constraints, there should be a good pedestrian connection between the sidewalk and building entrance, and the area should be well landscaped.

Sec. 66.343. Traditional Neighborhood District design standards.

- (a) *Applicability.* The Traditional Neighborhood District design standards under paragraph (b) below apply to development within TN1-TN3 Traditional Neighborhood Districts, as indicated in *Table 66.343, Applicability of Traditional Neighborhood District Design Standards*. Site plans and other development proposals within Traditional Neighborhood Districts shall be consistent with the applicable design standards unless the applicant can demonstrate that there are circumstances unique to the property that make compliance impractical or unreasonable.

In cases where more specific design standards or guidelines have been developed as part of city council-approved master plans, small area plans, or other city-approved plans for specific sites, those shall take precedence. All standards in section 63.110, General design standards, are also applicable to development within TN1-TN3 Traditional Neighborhood Districts.

Table 66.343. Applicability of Traditional Neighborhood District Design Standards

TN Guidelines	TN1	TN2	TN3
1. Land use diversity			✓
2. Similar facing buildings		✓	✓
3. Transitions to lower-density neighborhoods		✓	✓
4. Block length		✓	✓
5. Compatible rehabilitation and reuse	✓	✓	✓
6. Use established building facade line	✓	✓	✓
7. Buildings anchor the corner	✓	✓	✓
8. Front yard landscaping	✓	✓	✓
9. Building facade continuity		✓	✓
10. Building facade articulation – base, middle and top	✓	✓	✓
11. Building facade articulation – vertical	✓	✓	✓
12. Building height – treatment of 1-story buildings	✓	✓	✓
13. Definition of residential entries	✓	✓	✓
14. Door and window openings – minimum and character	✓	✓	✓
15. Materials and detailing	✓	✓	✓
16. Screening of equipment and service areas		✓	✓
17. Interconnected street and alley network		✓	✓
18. Parking both sides of streets		✓	✓
19. Parking location and entrance design	✓	✓	✓
20. Residential garage location	✓	✓	✓
21. Parking lot lighting		✓	✓
22. Entrance location for transit access	✓	✓	✓
23. Street trees	✓	✓	✓
24. Sidewalks	✓	✓	✓

(b) *Traditional Neighborhood District design standards.*

- (1) *Land use diversity.* In general, it is desirable for each block to include some diversity in housing type, building type, and mix of land uses. Any two abutting block faces shall include more than one land use or building type.
- (2) *Similar facing buildings.* Buildings that face each other across a street shall be generally similar in height, scale and articulation.
- (3) *Transitions to lower-density neighborhoods.* Transitions in density or intensity shall be managed through careful attention to building height, scale, massing and solar exposure.
- (4) *Block length.* Block faces in mixed use areas shall typically not exceed four hundred (400) feet. Block faces in residential areas shall typically follow the pattern of neighboring blocks, but shall not exceed six hundred sixty (660) feet, the length of the standard Saint Paul block.

- (5) *Compatible rehabilitation and reuse.* Remodeling, additions or other alterations to existing traditional buildings shall be done in a manner that is compatible with the original scale, massing, detailing and materials of the original building. Original materials shall be retained and preserved to the extent possible.
- (6) *Use established building facade lines.* New buildings shall relate to the established building facade line on the block where they are located. On most nonresidential or mixed use blocks, this is the inside edge of the sidewalk. For corner buildings, each facade that fronts a public street shall maintain the established building facade line. Portions of the facade may be set back a greater distance to emphasize entries or create outdoor seating and gathering areas.
- (7) *Buildings anchor the corner.* New buildings on corner lots shall be oriented to the corner and both public streets.
- (8) *Front yard landscaping.* Front yard areas located between the principal building and the street shall be landscaped. Hard surfaced areas should include amenities such as benches and planters.
- (9) *Building facade continuity.* New buildings along commercial and mixed-use streets shall provide a continuous facade along the street. Where breaks occur, the street edge shall be continued through the use of fencing, low walls and/or landscaping.
- (10) *Building facade articulation – base, middle and top.*
 - a. Most traditional buildings in Saint Paul have a strong pattern of base, middle and top, created by variations in detailing, color and materials. New buildings shall respond to this pattern.
 - b. Articulated tops shall be considered in the design of all new buildings. This articulation might consist of pitched roofs, dormers, gable ends, cornice detailing, etc.
 - c. The base of the building shall include elements that relate to the human scale. These should include doors and windows, texture, projections, awnings and canopies, ornament, etc.
- (11) *Building facade articulation – vertical.* Consistent with most traditional buildings in Saint Paul, a building width of forty (40) feet or less is encouraged. New buildings of more than forty (40) feet in width shall be divided into smaller increments, between twenty (20) and forty (40) feet in width, through articulation of the facade. This can be achieved through combinations of the following techniques, and others that may meet the objective.
 - a. Facade modulation - stepping back or extending forward a portion of the facade.
 - b. Vertical divisions using different textures or materials (although materials should be drawn from a common palette).
 - c. Division into storefronts, with separate display windows and entrances.
 - d. Variation in roof lines by alternating dormers, stepped roofs, gables, or other roof elements to reinforce the modulation or articulation interval.
 - e. Arcades, awnings, window bays, arched windows and balconies at intervals equal to the articulation interval.

- (12) *Building height – treatment of 1-story buildings.* New buildings of two or more stories are encouraged in TN1 and TN2 Districts, and required in the TN3 District. One-story buildings, where constructed, shall be designed to convey an impression of greater height in relation to the street. This can be achieved through the use of pitched roofs with dormers or gables facing the street, a higher parapet, and/or the use of an intermediate cornice line to separate the ground floor and the upper level.
- (13) *Definition of residential entries.* Porches, steps, pent roofs, roof overhangs, hooded front doors or similar architectural elements shall be used to define all primary residential entrances.
- (14) *Door and window openings – minimum and character.*
- a. For new commercial and civic buildings, windows and doors or openings shall comprise at least fifty (50) percent of the length and at least thirty (30) percent of the area of the ground floor of the primary street facade.
 - b. Windows shall be designed with punched and recessed openings, in order to create a strong rhythm of light and shadow.
 - c. Glass on windows and doors shall be clear or slightly tinted, allowing views into and out of the interior.
 - d. Window shape, size and patterns shall emphasize the intended organization of the facade and the definition of the building.
- (15) *Materials and detailing.*
- a. Nonresidential or mixed use buildings shall be constructed of high-quality materials such as brick, stone, textured cast stone, or tinted masonry units. The following materials are generally not acceptable:
 - unadorned plain or painted concrete block
 - tilt-up concrete panels
 - pre-fabricated steel or sheet metal panels
 - reflective glass
 - aluminum, vinyl, fiberglass, asphalt or fiberboard siding
 - b. All building facades visible from a public street or walkway shall employ materials and design features similar to those of the front facade.
- (16) *Screening of equipment and service areas.* If an outdoor storage, service or loading area is visible from adjacent residential uses or a public street or walkway, it shall be screened by a decorative fence, wall or screen of plant material at least six (6) feet in height. Fences and walls shall be architecturally compatible with the primary structure.
- (17) *Interconnected street and alley network.* The existing street and alley network shall be preserved and extended as part of any new development. If the street network has been interrupted, it shall be restored whenever possible. Cul-de-sac streets are discouraged; crescent-shaped or courtyard street arrangements may be used when street connections are impractical.
- (18) *On-street parking.* Streets shall generally have parking on both sides to buffer

pedestrians, calm traffic and supplement off-street parking unless the space is needed to accommodate traffic volume, emergency vehicles, transit or deliveries.

(19) *Parking location and entrance design.*

- a. Off-street parking shall be provided within a principal structure, underground, or to the rear of buildings to the greatest extent possible. Limited side yard parking may be appropriate. Entrance drives and garage doors for underground or structured parking may face the street, but shall be designed for pedestrian convenience and safety.
- b. Surface parking shall not be located within thirty (30) feet of a corner. Buildings shall be located to emphasize and “anchor” the corner whenever possible.

(20) *Residential garage location.* Attached residential garages shall be recessed at least ten (10) feet behind the front facade of the building. Detached residential garages shall be located in the side or rear yard, recessed at least twenty-five (25) feet behind the front facade of the building. When an alley is present, garages shall be located in the rear yard and accessed through the alley.

(21) *Parking lot lighting.* Pedestrian-scale lighting shall be provided within parking areas. Light standards shall be nine (9) to twelve (12) feet in height and have a downcast glow.

(22) *Entrance location for transit access.* New and existing retail, office and multifamily housing shall coordinate with the transit agency in locating bus stops and related improvements. Building entrances shall be located to provide easy access to bus stops and shelters.

(23) *Street trees.* Street trees in the street right-of-way, as prescribed by the City Forester and Section 69.600 of the Subdivision Regulations, and other landscape improvements shall be provided along all streets at regular intervals to help define the street edge, buffer pedestrians from vehicles, and provide shade. Trees shall be located in a planting strip at least five (5) feet wide between the curb and sidewalk, or in a planter or planting structure of a design acceptable to the City.

(24) *Sidewalks.* Streets shall be designed with sidewalks on both sides except where they abut a park or other open space. Sidewalk width shall be at least five (5) feet, and six (6) feet or more in areas of high pedestrian activity.

Sec. 66.344. TN3 Traditional Neighborhood District required elements.

This section applies to TN3 districts for which a master plan designates blocks or portions of blocks as “mixed residential,” mixed use,” “open space,” “edge,” or “transition area.” A TN3 Traditional Neighborhood District of fifteen (15) or more acres in area shall include, at a minimum, a mixed residential area and the specified minimum percentage of open space within one-quarter (¼) mile of a mixed-use neighborhood center. These elements may be found within the TN3 district or adjacent to it; the intent is that they would be present within a reasonable walking distance. A mixed use area and/or an edge/transition area may also be required, depending on the criteria listed below.

- (a) *Mixed use area.* The mixed use area consists of service and retail commercial uses, workplaces, civic uses, housing, and public open space. It contains the broadest variety of land uses, and is intended to function as a center of activity for residents of the entire TN3 District and, potentially, surrounding areas.

- (1) All residential lots within a TN3 Traditional Neighborhood District should be located

within approximately one-half mile of an existing or proposed mixed use area.

- (2) The requirement to include a mixed use area may be fulfilled by adjacent mixed use areas such as neighborhood commercial nodes.
 - (3) A mixed use area shall be composed of at least two of the following land use categories, as categorized in *Table 66.321. Principal Uses in Traditional Neighborhood Districts*:
 - a. Commercial uses, such as general retail, restaurants, offices, services and accommodations.
 - b. Residential uses, not including one-family or two-family dwellings.
 - c. Civic and institutional uses such as school, place of worship, community meeting facility, library, and transit station.
 - (4) A new mixed use area shall also include centrally located public open space, in the form of a square, park or plaza.
- (b) *Mixed residential area.* A mixed residential area consists of a variety of housing types and limited office and service uses. It may be located anywhere within the TN3 district, and is intended to be linked to surrounding areas by interconnected streets, paths and open spaces.
- (1) A minimum of fifty (50) percent of all dwelling units shall consist of multifamily units, units in mixed-use buildings, and/or attached single-family units such as townhouses and live-work units.
 - (2) If over fifty (50) units are proposed in a site plan or master plan, at least two housing types must be included from the following categories:
 - a. one- and two-family dwellings;
 - b. attached units such as townhouses and live-work units; and
 - c. other multifamily dwellings
 - (3) For infill development, the required mix of residential uses may be satisfied by existing adjacent residential uses within a two-block radius.
 - (4) Up to twenty (20) percent of total floor area may consist of office and limited service uses as part of live-work units or integrated into residential structures.
 - (5) All residential lots shall be located within one-half mile of existing or planned public or common open space.
- (c) *Edge or transition area.* An edge area may be required as a lower-density transitional zone responding to adjacent uses. The required mix of housing types specified in the previous sections will not apply in transition areas. Densities and uses will depend on adjacent conditions.
- (d) *Open space areas.* For a TN3 district of fifteen (15) or more acres in area, a minimum of twenty (20) percent of a district's gross acreage, exclusive of street or alley right-of-way, must be defined in the master plan as open space, which may include undevelopable areas such as steep slopes and wetlands, and stormwater basins.

[20% open space is the high end of national standards for 10-20% open space for greenfield development where most of that open space is likely to be large parks, greenways, trail corridors, and undevelopable areas such as steep slopes and wetlands. Combined with the TN standard for smaller blocks, a very large percentage of a TN3 district would be streets and open space, a potential conflict with the TN goal for higher-density, compact, pedestrian- and transit-oriented

development. While such a high standard may be workable for larger TN3 areas where there are steep slopes, trail corridors and other undevelopable areas on the periphery, it may not be workable (and may be of little value) for smaller infill development sites where there may already be high remediation and redevelopment costs.]

- (1) A minimum of fifty (50) percent of the required open space shall be accessible to and usable by the public, such as a central square or plaza, neighborhood parks, greenways, trail corridors, or extensions of existing parks on the periphery (as specified in comprehensive or small area plans, or in the master plan process).
- (2) Existing parks or open space adjacent to the area may satisfy the open space requirement; a fee-in-lieu of park dedication may be required for enhancements to such adjacent existing parks or open space.

Sec. 66.345. TN3 District planning requirements.

- (a) *Previous plans.* Any pre-existing City-approved plans, such as small area plans, precinct plans or master plans, prepared for the site or the surrounding area shall be incorporated as appropriate in preparing any development plan for a TN3 Traditional Neighborhood District site. It is understood that these plans may occasionally be amended as conditions change. The intent of such plans shall be realized to the extent possible in any subsequent development plans.
- (b) *Master plan.* For any TN3 district of fifteen (15) acres or more in area, a master plan shall be provided for review and recommendation by the Planning Commission and approval by City Council resolution. The master plan may be already in existence, or it may be prepared by City staff or by the applicant or developer. A TN3 area for which a master plan has been adopted by the city council shall be designated as a TN3(M) district. The master plan shall include the following information:
 - (1) A location map of suitable scale showing the boundaries and dimensions of the site within the context of the community and adjacent parcels. The map or maps shall show:
 - a. Locations of any streets; railroads; significant natural, geographic or topographic features; and other major features within five hundred (500) feet of the site; and
 - b. Existing parks, open space, major institutions, and concentrations of commercial use within one-half mile of the site.
 - (2) A site inventory and analysis to identify site resources and constraints, including floodplain, wetlands, poorly drained soils, soils with bedrock near surface, utility easements, slopes greater than twelve (12) percent, and areas of possible soil contamination.
 - (3) Plan graphics, including but not limited to the following:
 - a. Topographic contours at five (5) foot intervals.
 - b. Layout of blocks.
 - c. Circulation system, indicating existing and proposed streets or rights-of-way, transit stops, bike routes, sidewalks and other walkways.
 - d. Street classification system, designating all streets by function within the site.
 - e. Block-level analysis, designating blocks or portions of blocks as “mixed residential,” “mixed use,” “edge,” “transition,” or other (see section 66.344, Required elements) and identifying primary building types on each block. Blocks

may be designated for a range of traditional neighborhood elements and building types. Undesignated blocks would allow the full range of TN3 uses and building types. Blocks shall be defined in relation to adjacent street classifications and open space.

- f. Open space plan, including all areas to be set aside as public or private open space and their preliminary design treatment.
 - g. Preliminary landscape plan, indicating street trees and landscape treatment of all streets and public spaces.
- (4) Plan graphics may (but are not required to) include examples of building elevations for each building type; an indication of building scale, height, massing, parking location and relationship to the street; visual analysis of impact on critical views and vistas; and examples of streetscape and other public improvements, including light fixtures, screening walls and fences, benches and other street furniture.
- [These are things that would normally be addressed at a later phase of development planning, too detailed to be required in all master plans.]
- (5) A preliminary stormwater plan, identifying preliminary locations of structures and methods to be used in managing stormwater and surface water on the site. Any wetlands or floodplain on the site shall be identified. Integration of stormwater treatment into the landscape and site design is encouraged, as is the use of natural methods such as ponds, wetlands or swales.
- (6) Phasing plan, where applicable, including the phasing of open space and street improvements.
- (7) Utilities plan, indicating existing conditions and proposed changes, as appropriate.
- (c) *Changes to master plan.* Once approved, a master plan may be modified as follows:
- (1) *Minor modification.* Minor modifications to an approved master plan may be requested by the property owner or developer. The planning administrator may approve minor modifications, including changes of less than ten (10) percent in land area designated in a specific category, provided such changes are consistent with the intent of the master plan.
 - (2) *Major modification.* Major modifications to an approved master plan may be initiated by the city council, the planning commission, or any person having an ownership or leasehold interest (contingent included) in property that is the subject of the proposed modification. Major modifications include changes of ten (10) percent or more in land area designated in a specific category; creation of a new public street or removal of a public street segment; removal of a park or open space area; or addition or removal of an entire block. Major modifications may be approved as an amendment to the master plan by city council resolution following planning commission review, public hearing and recommendation.

ARTICLE IV. 66.400. BUSINESS DISTRICTS

Division 1. 66.410. Intent

~~Division 3. 60.500. Business Districts~~

~~Subdivision 1. 60.510. OS-1 Local Office-Service District~~

Sec. 66.411. 60.511. Intent, OS Office-Service District.

The ~~OS-1 Local Office-Service District~~ is intended to accommodate various types of office and service uses performing administrative, professional and personal services and to serve as a transitional use between the more intensive uses of land such as major thoroughfares or commercial districts and the less intensive uses of land such as one-family residential.

(Code 1956, § 60.471; C.F. No. 96-694, § 6, 7-10-96; C.F. No. 00-972, 11-8-00)

Sec. 60.512. Principal uses permitted. [Replaced with §66.421. *Principal Uses in Business Districts* and new Chapter 65. *Land Use Definitions and Development Standards.*]

Sec. 60.513. Required conditions. [Moved to §66.440. *Required Conditions.*]

Sec. 60.514. Principal uses permitted subject to special conditions. [Replaced with §66.421. *Principal Uses in Business Districts* and new Chapter 65. *Land Use Definitions and Development Standards.*]

Sec. 60.515. Area, bulk, and setback requirements.

~~See Chapter 61, Schedule of Regulations, limiting the height and bulk of buildings, the minimum size of lot permitted by land use, and providing minimum yard setback requirements.~~ [This is an unnecessary restatement of §66.431. *Density and dimensional standards table* for business districts]

(Code 1956, § 60.474, C.F. No. 96-694, § 6, 7-10-96)

~~Subdivision 2. 60.520. OS-2 General Office-Service District~~

Sec. 60.521. Intent.

The ~~OS-2 General Office-Service District~~ is intended to provide for development of compact, pedestrian-oriented urban villages with a diverse mix of commercial, residential, civic and recreational uses located within a quarter mile of high-frequency transit service.

(C.F. No. 00-972, 11-8-00)

Sec. 60.522. Principal uses permitted.

~~In an OS-2 General Office-Service District the use of land, the location and erection of new buildings or structures, and the alteration, enlargement and moving of existing buildings or structures from other locations or districts shall conform to the following specified uses, unless otherwise provided in this code:~~

- ~~(1) All principal uses permitted and uses permitted subject to special conditions and as regulated in the OS-1 District, except cellular telephone antennas located on a freestanding pole.~~
- ~~(2) Post offices and similar governmental offices.~~
- ~~(3) Retail businesses that supply commodities on the premises, such as, but not limited to, groceries, meats, dairy products, baked goods or other foods, drugs, dry goods, clothing and notions, hardware, books, stationery and plants, with up to 10,000 square feet of gross floor area.~~

- ~~(4) Eating and liquor-licensed establishments, except drive-in or fast-food restaurants.~~
 - ~~(5) Hotels and hospitals.~~
 - ~~(6) Dry cleaning establishments, or pickup stations, dealing directly with the customer, and self-service laundries and dry cleaners. Central dry cleaning plants servicing more than one (1) retail outlet are prohibited.~~
 - ~~(7) Manufacturing of small, precision goods such as dental, surgical or optical goods, or electronic assemblies, along with light assembly, packaging and distribution activities.~~
 - ~~(8) Other uses similar to the above uses.~~
 - ~~(9) Accessory buildings, structures and uses as defined in section 60.201.~~
 - ~~(10) Carriage house dwellings, provided that a maximum of one carriage house dwelling shall be allowed per principal dwelling unit.~~
 - ~~(11) Above ground parking buildings not exceeding forty-five (45) feet in height.~~
- ~~(C.F. No. 00-972, 11-8-00)~~

Sec. 60.523. Required conditions:

~~The following conditions shall be required of all uses in the OS-2 General Office-Service District:~~

- ~~(1) Except for off-street parking or loading, all business, storage, servicing or processing shall be conducted within completely enclosed buildings.~~
- ~~(2) The scale, massing and materials of buildings shall be compatible with adjacent structures in the district. The base, middle and top of buildings shall be architecturally delineated.~~
- ~~(3) The exterior surface of buildings shall be articulated with vertical elements. Windows, doors and other building openings shall be square or vertical in proportion. The first floor shall be articulated with windows, entrances, etc. that relate to the scale of a pedestrian at street level.~~
- ~~(4) Roof-top mechanical systems, service equipment and head houses for elevators and stairs shall be enclosed and not visible from public rights-of-way.~~
- ~~(5) Parking shall be provided underground (below-grade) or to the rear of buildings. Access to parking shall be at the rear or interior of the lot to the greatest extent possible. Garage doors for underground parking may face the street, but shall be as unobtrusive and pedestrian-friendly as possible.~~

~~(C.F. No. 00-972, 11-8-00)~~

Sec. 60.524. Principal uses subject to special conditions:

~~The following additional uses shall be permitted, subject to the conditions hereinafter imposed for each and subject to the standards specified for all special condition uses as set forth in section 64.300(d). All principal uses permitted subject to special conditions shall be reviewed and approved by the planning commission.~~

- ~~(1) Retail businesses that supply commodities on the premises, as allowed in the OS-2 district section 60.522(2), with more than ten thousand (10,000) square feet of gross floor area.~~
- ~~(2) Buildings over fifty (50) feet in height, subject to the following conditions:~~
 - ~~a. Critical views and vistas from public rights-of-way and open spaces shall be retained, especially between the bluffs and the river and between the river valley floor and the~~

bluffs. Critical views and vistas shall be as defined in the city comprehensive plan and any other views determined to be critical by the planning administrator. Applicants shall provide the planning commission detailed plans of the proposed building(s) and, for each view for which a view study is prepared, at least the following: 1) detailed information regarding the height and width of the proposed building(s), including the height of roof peaks and rooftop structures, as well as the grade elevation(s); 2) detailed information regarding the height of significant landmarks and/or geographical features; 3) a series of photographic images showing "before" (as is) and "after" (with the proposed structures) conditions; and 4) a comparison of the view impact of a building(s) 50 feet in height as the proposed location with the view impact of the proposed building(s) exceeding fifty (50) feet in height. Based on the specifics of each case, the planning commission may request additional information. The view points, views and vistas shall be accurately portrayed in the view studies and clearly marked as to direction, view station point, view terminus, and significant landmarks and/or geographical features. In determining impact, the planning commission shall make findings related to the following:

- _____ 1. The accuracy of the information presented in the view studies and compliance with the requirements above;
 - _____ 2. The extent to which critical views and vistas are retained or affected;
 - _____ 3. The impact on views and vistas of the portion(s) of the buildings(s) that exceeds 50 feet in the height; and
 - _____ 4. Mitigating actions by the applicant to minimize impact on critical views and vistas.
- _____ b. No building shall exceed ninety (90) feet in height. No above-ground parking buildings shall exceed sixty-five (65) feet in height.
- (3) Above-ground parking buildings over forty-five (45) feet in height, subject to the condition that no such building shall exceed sixty-five (65) feet in height.
- (4) Cellular telephone antennas located on a freestanding pole, as regulated in the OS-1 district, section 60.514(5)a. through h.
- (5) Accessory buildings, structures and uses customarily incident to the above uses.

(C.F. No. 00-972, 11-8-00; C.F. No. 01-501, § 2, 7-5-01)

Sec. 60.524.1. Principal uses subject to special conditions; exception.

The provisions of section 60.524(2) of this chapter shall not apply to developments for which a master plan has been adopted by the city council of the city as of the effective date of this section and for which there is a signed, approved redevelopment agreement with the housing and redevelopment authority of the city as of the effective date of this section, provided that final design plans are presented to the city council prior to staff approval and that such projects will, to the extent reasonably possible, follow the design guidelines of the sustainable decisions guide for city facilities or other sustainable development guidelines.

(C.F. No. 01-501, § 2, 7-5-01)

Sec. 60.525. Area, bulk and setback requirements.

See chapter 61, Schedule of Regulations, limiting the height and bulk of buildings, the minimum size of lot by permitted land use, and providing minimum yard setback requirements.

(C.F. No. 00-972, 11-8-00)

[The OS-2 General Office Service District is replaced by the new TN3 Traditional Neighborhood District.]

Subdivision 3. 60.530. B-1 Local Business District

Sec. 66.412. 60.531. Intent, B1 Local Business District.

The B-1 Local Business District is intended to permit those uses as are necessary to satisfy the basic convenience shopping or service needs of persons residing in nearby residential areas.

(Code 1956, § 60.481; C.F. No. 00-972, 11-8-00)

Sec. 60.532. Principal uses permitted. [Replaced with §66.421. *Principal Uses in Business Districts* and new Chapter 65. *Land Use Definitions and Development Standards*.]

Sec. 60.533. Required conditions. [Moved to §66.440. *Required Conditions*.]

Sec. 60.534. Principal uses permitted subject to special conditions. [Replaced with §66.421. *Principal Uses in Business Districts* and new Chapter 65. *Land Use Definitions and Development Standards*.]

Sec. 60.535. Area, bulk and setback requirements. [Replaced with §66.431. *Density and dimensional standards table* for business districts.]

Subdivision 5. 60.550. B-2C Community Business (Converted) District

Sec. 66.413. 60.551. Intent, BC Community Business (Converted) District.

It is the intent of The B-2C Community Business (Converted) District to create is a business district expressly for existing residential structures in commercial areas, which will permit the operation of businesses which do not generate large amounts of traffic and at the same time will retain the visual character of the building forms and open space associated with residential uses. This includes a limited height on buildings and front and side yards. It is further the intent of this district to provide parking for employees who work in buildings which are converted from residential to business use.

(Ord. No. 17062, 10-20-83; C.F. No. 00-972, 11-8-00)

Sec. 60.552. Principal uses permitted. [Replaced with §66.421. *Principal Uses in Business Districts* and new Chapter 65. *Land Use Definitions and Development Standards*.]

Sec. 60.553. Required conditions. [Moved to §66.440. *Required Conditions*.]

Sec. 60.554. Principal uses permitted subject to special conditions. [Replaced with §66.421. *Principal Uses in Business Districts* and new Chapter 65. *Land Use Definitions and Development Standards*.]

Sec. 60.555. Area, bulk, and yard setback requirements. [Replaced with §66.431. *Density and dimensional standards table* for business districts.]

Subdivision 4. 60.540. B-2 Community Business District

Sec. 66.414. 60.541. Intent, B2 Community Business District.

The B-2 Community Business District is intended to serve the needs of a consumer population larger

than that served by the "Local Business District," and is generally characterized by a cluster of establishments generating large volumes of vehicular and pedestrian traffic.

(Code 1956, § 60.491; C.F. No. 00-972, 11-8-00)

~~Sec. 60.542. Principal uses permitted.~~ [Replaced with §66.421. *Principal Uses in Business Districts* and new Chapter 65. *Land Use Definitions and Development Standards.*]

~~Sec. 60.543. Required conditions.~~ [Moved to §66.440. *Required Conditions.*]

~~Sec. 60.544. Principal uses permitted subject to special conditions.~~ [Replaced with §66.421. *Principal Uses in Business Districts* and new Chapter 65. *Land Use Definitions and Development Standards.*]

~~Sec. 60.545. Area, bulk and yard setback requirements.~~ [Replaced with §66.431. *Density and dimensional standards table* for business districts.]

~~Subdivision 6. 60.560. B-3 General Business District~~

Sec. 66.415. 60.561. Intent, B3 General Business District.

The B=3 General Business District is intended to provide sites for more diversified types of businesses than those in the B=1 and B=2 Business Districts, and is intended for location, use along major traffic arteries or adjacent to the Community Business Districts.

(Code 1956, § 60.501; C.F. No. 00-972, 11-8-00)

~~Sec. 60.562. Principal uses permitted.~~ [Replaced with §66.421. *Principal Uses in Business Districts* and new Chapter 65. *Land Use Definitions and Development Standards.*]

~~Sec. 60.563. Required conditions.~~ [Moved to §66.440. *Required conditions.*]

~~Sec. 60.564. Principal uses permitted subject to special conditions.~~ [Replaced with §66.421. *Principal Uses in Business Districts* and new Chapter 65. *Land Use Definitions and Development Standards.*]

~~Sec. 60.565. Area, bulk and setback requirements.~~ [Replaced with §66.431. *Density and dimensional standards table* for business districts.]

~~Subdivision 7. 60.570. B-4 Central Business District~~

Sec. 66.416. 60.571. Intent, B4 Central Business District.

(a) The B=4 Central Business District is intended to permit those uses which provides for a variety of retail stores and related activities, and for office buildings and service establishments which occupy the prime frontages in the Central Business District; and which serve the a consumer population beyond the corporate boundaries of the city. (b) The district regulations are is also designed to provide for the needs of the daytime work force, a Central Business District resident population and a transient population, along with the recreation demands of such population groups.

(Code 1956, § 60.511; C.F. No. 00-972, 11-8-00)

~~Sec. 60.572. Principal uses permitted.~~ [Replaced with §66.421. *Principal Uses in Business Districts* and new Chapter 65. *Land Use Definitions and Development Standards.*]

~~Sec. 60.573. Required conditions.~~ [Moved to §66.440. *Required Conditions.*]

~~Sec. 60.574. Principal uses permitted subject to special conditions.~~ [Replaced with §66.421. *Principal Uses in Business Districts* and new Chapter 65. *Land Use Definitions and Development Standards.*]

~~Sec. 60.575. Area, bulk and yard setback requirements.~~ [Replaced with §66.431. *Density and dimensional standards table* for business districts.]

~~*Subdivision 8. 60.580. B-5 Central Business-Service District*~~

Sec. 66.417. 60.581. Intent, B5 Central Business-Service District.

(a) The B-5 Central Business-Service District is intended to provide the necessary services for the population area which is served by all of the previous business districts. Such service establishments often involve objectionable influences, such as noise from heavy service operations and large volumes of truck traffic, and are thus incompatible with the previous business districts. (b) These districts provides for wholesaling, restricted manufacturing and other business uses which are needed in proximity to the Central Business District and require central location to permit serving of the entire city.

(Code 1956, § 60.521; C.F. No. 00-972, 11-8-00)

~~Sec. 60.582. Principal uses permitted.~~ [Replaced with §66.421. *Principal Uses in Business Districts* and new Chapter 65. *Land Use Definitions and Development Standards.*]

~~Sec. 60.583. Required conditions.~~ [Moved to §66.440. *Required conditions.*]

~~Sec. 60.584. Principal uses permitted subject to special conditions.~~ [Replaced with §66.421. *Principal Uses in Business Districts* and new Chapter 65. *Land Use Definitions and Development Standards.*]

~~Sec. 60.585. Area, bulk, and yard setback requirements.~~ [Replaced with §66.431. *Density and dimensional standards table* for business districts.]

Division 2. 66.420. Principal Uses in Business Districts

Sec. 66.421. Principal uses.

Table 66.421. Principal Uses in Business Districts lists all permitted and conditional uses in the OS-B5 Business Districts, and notes applicable development standards and conditions.

Table 66.421. Principal Uses in Business Districts

Use	OS	B1	BC	B2	B3	B4	B5	Development standards
Residential Uses								
Dwellings								
One-family dwelling			P					
Two-family dwelling			P					
Townhouse			P					
Multiple-family dwelling	P		P			P	P	
Secondary dwelling			C					✓
Carriage house dwelling			C					✓
Housing for the elderly	P		P			P	P	

Use	OS	B1	BC	B2	B3	B4	B5	Development standards
Mixed Commercial-Residential Uses								
Home occupation	P	P	P	P	P	P	P	✓
Live-work unit			P					✓
Mixed residential and commercial use	P	P	P	P	P	P	P	✓
Congregate Living								
Foster home, freestanding foster care home	P	P	P	P	P	P	P	✓
Community residential facility, licensed human service	P	P	P	P	P	P	P	✓
Community residential facility, licensed correctional			C	C	C	C	C	✓
Community residential facility, health department licensed			C	C	C	C	C	✓
Emergency housing facility			C	C	C	C	C	✓
Overnight shelter							C	✓
Shelter for battered persons	P/C	P/C	P/C	P/C	P	P	P	✓
Transitional housing facility	P/C	P/C	P/C	P/C	P	P	P	✓
Roominghouse, boardinghouse			C					✓
Nursing home, boarding care home, assisted living			C					✓
Hospice	C	C	P/C	C	P	P	P	✓
Dormitory			P/C					✓
Fraternity, sorority			P/C					✓
Civic and Institutional Uses								
Educational Facilities								
Day care	P	P	P	P	P	P	P	
School, grades K-12	P	P	P	P	P	P	P	
College, university, seminary, etc.	P	P	P	P	P	P	P	✓
Trade school, arts school, dance school, etc.	P	P	P	P	P	P	P	
Social, Cultural, and Recreational Facilities								
Club, fraternal organization, lodge hall				P	P	P	P	
Museum						P	P	
Public library	P	P	P	P	P	P	P	
Public and private park, playground	P	P	P	P	P	P	P	
Recreation, noncommercial	P	P	P	P	P	P	P	
Religious Institutions								
Church, chapel, synagogue, place of worship	P	P	P	P	P	P	P	
Rectory, parsonage	P	P	P	P	P	P	P	
Convent, monastery, religious retreat	P	P	P	P	P	P	P	
Public Services and Utilities								
Antenna, cellular telephone	P/C	P/C	P/C	P/C	P/C	P/C	P/C	✓
Electric transformer or gas regulator substation		C	C	C	P	P	P	✓
Municipal building or use	P	P	P	P	P	P	P	✓
Public utility steam heating or cooling plant							P	
Utility or public service building	C	P	P	P	P	P	P	✓
Commercial Uses								

Use	OS	B1	BC	B2	B3	B4	B5	Development standards
Offices								
Administrative office	P	P	P	P	P	P	P	
Artist, photographer studio, etc.	P	P	P	P	P	P	P	
Insurance office, real estate office, sales office	P	P	P	P	P	P	P	
Professional office	P	P	P	P	P	P	P	
Medical Facilities								
Clinic, medical or dental	P	P	P	P	P	P	P	
Hospital					P	P	P	
Medical Laboratory	P	P	P	P	P	P	P	
Veterinary clinic				P	P	P	P	✓
Retail Sales and Services								
General retail		P	P	P	P	P	P	
Bank, credit union	P	P	P	P	P	P	P	
Business sales and services					P	P	P	
Currency exchange				P	P C	P	P	✓
Drive-through sales and services, primary and accessory	C	C		C	P	P	P	✓
Dry cleaning, commercial laundry		P	P	P	P	P	P	✓
Food and related goods sales		P	P	P	P	P	P	
Food shelf	P	P	P	P	P	P	P	
Garden center, outdoor			C	C	P			✓
Greenhouse					C			✓
Laundromat, self-service		P	P	P	P	P	P	
Liquor store		P	P	P	P	P	P	
Massage center	P	P	P	P	P	P	P	
Mortuary, funeral home					P	P	P	
Outdoor uses, commercial					C			✓
Package delivery service					P	P	P	
Pawn shop			€	€	C	P	P	✓
Photocopying	P	P	P	P	P	P	P	
Post office		P	P	P	P	P	P	
Service business	P	P	P	P	P	P	P	
Service business with showroom or workshop			P	P	P	P	P	
Small appliance repair				P	P	P	P	
Small engine repair, automotive bench work					P	P	P	
Tattoo shop			P	P	P	P	P	
Tobacco shop		P	P	P	P	P	P	
Food and Beverages								
Brew on premises store				P	P	P	P	
Catering				P	P	P	P	
Coffee kiosk				P	P	P	P	
Coffee shop, tea house		P/C		P	P	P	P	✓
Restaurant				P	P	P	P	
Restaurant, carry-out, deli		P		P	P	P	P	
Restaurant, fast-food				P/C	P/C	P	P	✓
Restaurant, outdoor				P	P	P	P	✓

Use	OS	B1	BC	B2	B3	B4	B5	Development standards
Commercial Recreation, Entertainment and Lodging								
Bed and breakfast residence		P	P	P	P			✓
Bingo hall, auction hall				C	P	P	P	
Health/sports club			P	P	P	P	P	
Hotel, inn, motel					P	P	P	
Indoor recreation				C	P	P	P	✓
Reception hall				P	P	P	P	
Steam room/bathhouse facility			P	P	P	P	P	
Theater, assembly hall, concert hall				P	P	P	P	
Adult Entertainment								
Adult use					C	C	C	✓
Automobile Services								
Auto convenience market				C	C		P	✓
Auto service station				C	C		P	✓
Auto speciality store				C	C		P	✓
Auto repair station					C		P	✓
Auto sales, indoor					P	P	P	
Auto sales and rental, outdoor					C			✓
Car wash					C			✓
Parking Facilities								
Parking facility, commercial						P	P	
Transportation								
Bus or railroad passenger station					P	P	P	
Helistop					C	C	C	✓
Railroad right-of-way	C	C	C	C	C	P	P	✓
Limited Production, Processing and Storage								
Finishing shop					P		P	✓
Limited production and processing					P		P	✓
Mail order house			P	P	P	P	P	
Malt liquor manufacturing					P	P	P	✓
Plastic products							P	
Printing and publishing				P/C	P	P	P	
Recycling collection center					P			✓
Recycling drop-off station			P	P	P	P	P	✓
Toiletries and cosmetic manufacturing							P	
Warehousing and storage							P	✓
Wholesale establishment					P	P	P	✓
Accessory Uses								
Accessory use	P	P	P	P	P	P	P	

Division 3. 66.430. Business District Density and Dimensional Standards

~~Sec. 61.103. Business Districts.~~

Sec. 66.431. Density and dimensional standards table.

Table 66.431. *Business District Dimensional Standards* sets forth density and dimensional standards that are specific to Business Districts. These standards are in addition to the provisions of *Chapter 63. Regulations of General Applicability*.

Table 66.431. Business District Dimensional Standards

Zoning District		Floor Area Ratio (FAR)	Height Maximum		Yard Setbacks Minimum (feet)		
		Maximum	Stories	Feet	Front	Side	Rear
OS	Office-Service	1.0	3 a	30 a	15 b,d	6	e, f
B1	Local Business	1.0	3	30	15 b,d	6	e, f
BC	Community Business (Converted)	g	3 a	30 a	25 c	4	25
B2	Community Business	2.0	a	30 a	0 d,f	e	e, f
B3	General Business	2.0	a	30 a	0 d	e	e, f
B4	Central Business	8.0 h	no limit	no limit	0	0	0 f
B5	Central Business - Service	5.0 h	no limit	no limit	0	0	0 f

[This table replaces the old *Sec. 61.103. Business districts* schedule of regulations table. Changes to the numbering and text of the notes to the old table are indicated below.]

Notes to **Table 66.431. 61.103. Business Districts Dimensional Standards:**

- (ad) The height of the structure may exceed the maximum building height allowed in the district, provided the structure is set back from all setback lines a distance equal to the height which said structure exceeds the maximum building height allowed in the district.
- (ba) Off-street parking shall be permitted to occupy a required front yard setback; provided, that the off-street parking area, exclusive of access driveways, shall be set back a minimum distance of six (6) feet from any front or side street right-of-way and meet the off-street parking area setback meets the requirements of section 66.431(d) 61.103(f).
- (ci) Since B=2C zoned property has a residential character, buildings shall maintain a twenty-five-foot front setback or meet the requirements of section 66.231(g) 61.101(a).
- (dg) On those lots or parcels, or portions of lots or parcels, which adjoin a right-of-way line of a parkway, the required setbacks from the parkway right-of-way line shall be equal to that required for residential uses in effect along the parkway right-of-way or twenty-five (25) feet, whichever is greater. (h) ~~Those~~ The following parkways and portions of parkways listed below are excluded from the this setback requirements established in subsection (g) above: Ford Parkway (from Kenneth Street to Finn Street and north side between Finn Street and Mount Curve Mississippi River Boulevard); Gannon Road, and Lexington Parkway (from Pierce Butler Route to the nearest Burlington Northern Railroad tracks). [Amended to be consistent with *Sec. 66.531(d)* in notes to Table 66.531. Industrial District Dimensional Standards.]
- (eb) No side or rear yards are required along the interior lot lines of the district, except as otherwise specified in the building code; provided, that if walls of structures facing such interior lot lines contain windows; or other openings, yards of not less than six (6) feet shall be provided. Side and rear yards of at least six (6) feet shall be required when a business district adjoins a side yard in an adjacent residence district. These setback requirements from interior lot lines shall be waived when an easement agreement is recorded as to the affected properties. Proof of such recorded easement shall be provided at the time of application for a building permit. The

recording of the easement agreement shall be interpreted to mean that the following intents and purposes of these setback requirements are met: adequate supply of sunlight and air to adjacent property; sufficient space for maintenance of the building from the same lot; and prevention of damage to adjoining property by fire or runoff from roofs.

- (f) Off-street loading space shall be provided in the rear yard in accordance with the requirements of section ~~63.400~~ ~~62.105~~.
- ~~(e) The height of structures in an OS-2 General Office-Service District may exceed fifty (50) feet in height, subject to conditions under section 60.524(2). The height of above ground parking buildings in an OS-2 General Office-Service District may exceed forty-five (45) feet in height, subject to the conditions under section 60.524(3).~~
- (g) In the BC Community Business (Converted) District, principal structures shall not cover more than thirty-five (35) percent of any zoning lot, [This replaces a column in the old business districts schedule of regulations table.] and residential buildings shall meet the minimum lot size per unit requirements of section 66.231 for the RM2 Multiple-Family Residential District.
- (hf) Floor area bonuses, which encourage certain building features which produce public benefits, shall be granted as follows:

Table 66.431(f). Business District Floor Area Bonuses

Building Feature	Unit of Feature Upon which Bonus is Based	Square Feet of Bonus Floor Area per Unit of Feature		Maximum Bonus (Percent of Basic Allowable Gross Floor Area)
		B-4 Central Business District	B-5 Central Business Service District	
1 Setback from street	Each square foot of setback area (minimum setback of 10 feet)	10	7	20%
2 Arcade	Each square foot of arcade area	7	4	15%
3 Plaza	Each square foot of plaza area	7	5	15%
4 Setback from side lot line	Each square foot of side setback area	5	3	15%
5 Lower coverage above 4 th floor	Each square foot of building setback from floor below	3	2	10%

For the purpose of this bonus provision, an arcade and plaza shall be defined as follows:

Arcade. An "arcade" is a continuous area open to a street or to a plaza, which is open and unobstructed to a height of not less than twelve (12) feet, is accessible to the public at all times, and either:

- (1) Adjoins a front lot line or a plaza boundary, is not less than ten (10) feet or more than thirty (30) feet in depth (measured perpendicular to the front lot line or plaza boundary which it adjoins), and extends for the full length of, or forty (40) feet along, such front lot line or plaza boundary, whichever is the lesser distance; or
- (2) On a corner lot, is bounded on two (2) sides by the two (2) intersecting street lines, and has an area of not less than five hundred (500) square feet and a minimum dimension of ten (10) feet.

Such an arcade shall not at any point be above the level of the sidewalk or plaza which it adjoins, whichever is higher. Any portion of an arcade occupied by building columns shall be considered to be part of the area of the arcade for purposes of computing a floor area bonus.

Plaza. A "plaza" is an open area accessible to the public at all times, which is either:

- (1) A continuous open area along a front lot line, not less than ten (10) feet deep (measured perpendicular to the front lot line), with an area of not less than five hundred fifty (550) square feet, and extending for its entire depth along the full length of such front lot line or for a distance of at least forty (40) feet thereof, whichever is the lesser distance; or
- (2) A continuous open area on a through lot, extending from street to street and not less than forty (40) feet in width, measured perpendicular to the nearest side lot line; or
- (3) On a corner lot, an open area of not less than three hundred fifty (350) square feet, which is bounded on two (2) sides by the two (2) intersecting street lines and which has a minimum dimension of ten (10) feet; or
- (4) An open area of not less than four thousand (4,000) square feet, with a minimum dimension of forty (40) feet, which is bounded on one side by a front lot line ~~or~~ which is connected to the street by means of an arcade; or by an open area of not less than thirty (30) feet wide.

Except for an open area as set forth in item (4) above, no portion of such an open area which is bounded on all sides, except for one opening, by either building walls, or building walls and a side lot line, shall be considered part of the plaza, unless the opening of such portion is at least forty (40) feet in width.

A plaza shall not at any point be more than five (5) feet above the curb level of the nearest adjoining street, and shall be unobstructed from its lowest level to the sky, except for those obstructions permitted by the planning commission.

(Code 1956, § 61.103; Ord. No. 17204, 1-15-85; Ord. No. 17778, § 1, 10-11-90; C.F. No. 93-1718, § 63, 12-14-93; C.F. No. 97-1089, § 5, 10-1-97; C.F. No. 00-972, 11-8-00; C.F. No. 01-501, § 3, 7-5-01)

Division 4. 66.440. Required Conditions

~~Sec. 60.513. Required conditions:~~

~~The following conditions shall be required of all uses in the OS-1 Local Office-Service District: Except for off-street parking or loading, all business, storage, servicing or processing shall be conducted within completely enclosed buildings. [Combined with §66.441 below.]~~

~~(C.F. No. 92-1479, § 3, 12-15-92; C.F. No. 95-1444, § 2, 1-17-96; C.F. No. 96-694, § 6, 7-10-96; C.F. No. 00-972, 11-8-00)~~

~~Sec. 60.533. Required conditions:~~

~~The following conditions shall be required of all uses in the B-1 Local Business District:~~

- ~~(1) All business establishments shall be retail or service establishments dealing directly with customers. All goods produced on the premises shall be sold at retail on the premises where produced.~~
- ~~(2) Except for off-street parking or loading, all business, storage, servicing or processing shall be conducted within completely enclosed buildings. [Combined with §66.441 below]~~

~~(Code 1956, § 60.483; C.F. No. 92-1479, § 4, 12-15-92; C.F. No. 00-972, 11-8-00)~~

Sec. 66.441. 60.543. Required conditions in the OS-B2 Business Districts.

~~The following conditions shall be required of all uses in the B-2 Community Business District:~~

- (a~~1~~) All business establishments shall be retail or service establishments dealing directly with consumers. All goods provided on the premises shall be sold at retail on the premises where produced.
- (b~~2~~) All business, storage, servicing or processing shall be conducted within completely enclosed buildings. ~~Provided, however, that the following uses may be conducted outdoors if specifically allowed as a permitted use or special condition use:~~ **except for** off-street parking, off-street loading, **and or** outdoor **uses specifically allowed as permitted or conditional uses.** ~~businesses and outdoor businesses with outdoor storage.~~

(Code 1956, § 60.493; C.F. No. 92-1479, § 5, 12-15-92; C.F. No. 00-972, 11-8-00)

Sec. 66.442. 60.553. ~~Parking requirements~~ conditions in the BC Community Business (Converted) District.

~~The following conditions shall be required of all uses~~ In the B-2C Community Business (Converted) District: ~~(1), when existing buildings are converted from residential to business use, when existing buildings are enlarged, and when new buildings are erected, off-street parking shall be provided as follows:~~

- (a~~1~~) Residential uses: One and one-half (1 ½) spaces per dwelling unit.
 - (b~~2~~) All other uses: One (1) space for every four hundred (400) square feet of gross floor area or as required in section 632.200-103(g), whichever requires the fewer number of parking spaces.
 - (c~~3~~) Off-street parking spaces shall not be located within a front yard and must be set back at least two (2) feet from a side lot line.
 - (d~~4~~) Off-street parking facilities on lots without principal buildings shall provide principal access from the street.
- (2) ~~Except for off-street parking or loading, all business, storage, servicing or processing shall be conducted within completely enclosed buildings.~~ [Combined with §66.441 above.]

(Ord. No. 17062, 10-20-83; C.F. No. 92-1479, § 10, 12-15-92; C.F. No. 91-261, § 2, 11-23-93; C.F. No. 97-1089, § 7, 10-1-97; C.F. No. 99-750, § 4, 9-1-99; C.F. No. 00-972, 11-8-00)

Sec. 66.443. 60.563. Required conditions in the B3 General Business District.

~~The following conditions shall be required of all uses in the B-3 General Business District: All business, storage, servicing or processing shall be conducted within completely enclosed buildings, provided, however, that the following uses may be conducted outdoors if specifically allowed as a permitted use or special condition use:~~ **except for** off-street parking, off-street loading, **and or** outdoor **uses specifically allowed as permitted or conditional uses** ~~businesses and outdoor businesses with outdoor storage.~~

(Ord. No. 17524, § 16, 1-6-88; C.F. No. 92-1479, § 6, 12-15-92; C.F. No. 00-972, 11-8-00)

Sec. 66.444. 60.573. Required conditions in the B4 Central Business District.

To promote the most desirable use of land in the Central Business District in accordance with a well-conceived plan, to promote stability of commercial development, to strengthen the economic base of the city, to protect the character and pattern of desirable development, to conserve the value of land and buildings, and to protect the city's tax revenue, the following specified conditions shall be met by all uses ~~precedent to location~~ in the Central Business District:

- (a~~1~~) They shall benefit from a Central Business District location and are appropriate in the Central Business District.

- (b2) They generally do not create any significant objectionable influences. The normal operation incident to the use shall in no way diminish or impair property values within the district.
- (c3) They involve products characterized by a high ratio of value to bulk, so that truck traffic is kept to a minimum.
- (d4) All business, storage, servicing or processing shall be conducted within completely enclosed buildings. ~~Provided, however, that the following uses may be conducted outdoor if specifically allowed as a permitted use or special condition use:~~ **except for** off-street parking, off-street loading, **and or** outdoor **uses specifically allowed as permitted or conditional uses** ~~businesses and outdoor businesses with outdoor storage.~~
- (e5) They encourage, because of their own character, other **similar** uses ~~similar to the above-permitted uses,~~ to concentrate in continuous retail frontage to the mutual advantage of both consumers and the principal permitted uses.
- (f6) They shall not require frequent vehicular or truck movements across sidewalks which will prove hazardous to pedestrian and other vehicular traffic.
- (g7) They shall not require any manufacturing process other than that which is considered an essentially custom manufacturing process which ~~shall~~ **benefits** from a Central Business District location as a result of requiring direct dealing with ~~the~~ **consumers** in the district.
- (h8) They shall not, by locating in the Central Business District, impede the normal and orderly development and improvement of the surrounding uses permitted in the district.
- (i9) They shall in all respects conform to the applicable regulations of the district.

(Code 1956, § 60.513; C.F. No. 92-1479, § 8, 12-15-92; C.F. No. 00-972, 11-8-00)

Sec. 66.445. 60.583. Required conditions in the B5 Central Business-Service District.

- (a) ~~The following conditions shall be required of all uses in the B-5 Central Business-Service District:~~ All business, storage, servicing or processing shall be conducted within completely enclosed buildings. ~~provided, however, that the following uses may be conducted outdoors if specifically allowed as a permitted use or special condition use:~~ **except for** off-street parking, off-street loading, **and or** outdoor **uses specifically allowed as permitted or conditional uses** ~~businesses and outdoor businesses with outdoor storage.~~
- (b) ~~Sec. 60.582(8)i.~~ Similar Manufacturing uses ~~which~~ **similar in character to those specifically listed as permitted uses in the Central Business-Service District may be permitted if** the planning commission ~~shall~~ **makes the following findings to be:**
 - (1) **The use is** related and reasonably necessary or convenient for the satisfactory and efficient operation of the Central Business-Service District; and
 - 2. ~~Similar in character to the above-permitted uses.~~
 - (3) **The use** requires a central location in the city to permit efficient transportation.

(C.F. No. 92-1479, § 9, 12-15-92; C.F. No. 00-972, 11-8-00)

ARTICLE V. 66.500. INDUSTRIAL DISTRICTS

Division 1. 66.510. Intent

Subdivision 6. 60.770. RCI-1 River Corridor Industrial District

Sec. 66.511. ~~60.771.~~ Intent, **IR River Corridor Industrial District.**

The ~~IRCI-1~~ River Corridor Industrial District is intended to provide sites for commercial, office and industrial uses in the Mississippi River corridor which are consistent with the comprehensive plan's river corridor plan. Within the district, buildings will be placed to be harmonious with surrounding buildings and uses and to protect views from adjacent districts.

(Ord No. 17511, 3, 11-12-87)

~~Sec. 60.772. Principal uses permitted.~~ [Replaced with §66.521. *Principal Uses in Industrial Districts* and new Chapter 65. *Land Use Definitions and Development Standards.*]

~~Sec. 60.773. Principal uses permitted subject to special conditions.~~ [Replaced with §66.521. *Principal Uses in Industrial Districts* and new Chapter 65. *Land Use Definitions and Development Standards.*]

~~Sec. 60.774. Standards for principal uses subject to special conditions.~~ [Moved to §66.540. *Required Conditions.*]

~~Sec. 60.775. Required conditions.~~ [Moved to §66.540. *Required Conditions.*]

~~Sec. 60.776. Special setbacks.~~ [Moved to §66.540. *Required Conditions.*]

~~All uses shall be subject to the special setbacks set forth in section 60.775.~~

(Ord. No. 17511, § 3, 11-12-87)

~~Sec. 60.777. Area, bulk and yard setback requirements.~~ [Replaced with §66.531. *Density and dimensional standards table* for industrial districts.]

~~Division 4. 60.600. Industrial Districts~~

~~Subdivision 1. 60.610. I-1 Industrial District~~

Sec. 66.512. ~~60.611.~~ Intent, **I1 Light Industrial District.**

The I=1 **Light** Industrial District is intended to ~~primarily~~ accommodate wholesale, ~~and~~ warehouse activities, and industrial operations whose external physical effects are restricted to the area of the district and in no manner affect the surrounding districts in a detrimental way. The I=1 District is intended to permit, along with other specified uses, the manufacturing, compounding, processing, packaging, assembly, or treatment of finished or semifinished products from previously prepared material.

(Code 1956, § 60.531)

~~Sec. 60.612. Principal uses permitted.~~ [Replaced with §66.521. *Principal Uses in Industrial Districts* and new Chapter 65. *Land Use Definitions and Development Standards.*]

~~Sec. 60.613. Required conditions.~~ [Moved to §66.540. *Required Conditions.*]

~~Sec. 60.614. Principal uses permitted subject to special conditions.~~ [Replaced with §66.521. *Principal Uses in Industrial Districts* and new Chapter 65. *Land Use Definitions and Development Standards.*]

Sec. 60.615. Area, bulk, and setback requirements. [Replaced with §66.531. *Density and dimensional standards table* for industrial districts.]

Subdivision 2. 60.620. I-2 Industrial District

Sec. 66.513. ~~60.621.~~ Intent, I2 General Industrial District.

The I-2 General Industrial District is intended primarily for manufacturing, assembling and fabrication activities, including large scale or specialized industrial operations whose external effects will be felt in surrounding districts. The I-2 District is intended to permit the manufacturing, processing and compounding of semifinished products from raw material and prepared material. The processing of raw material in bulk form to be used in an industrial operation is a permitted use in the I-2 District.

(Code 1956, § 60.541)

Sec. ~~60.622.~~ Principal uses permitted. [Replaced with §66.521. *Principal Uses in Industrial Districts* and new Chapter 65. *Land Use Definitions and Development Standards.*]

Sec. ~~60.623.~~ Required conditions. [Moved to §66.540. *Required Conditions.*]

Sec. ~~60.624.~~ Principal uses subject to special conditions. [Replaced with §66.521. *Principal Uses in Industrial Districts* and new Chapter 65. *Land Use Definitions and Development Standards.*]

Sec. ~~60.625.~~ Area, bulk, and yard setback requirements. [Replaced with §66.531. *Density and dimensional standards table* for industrial districts.]

Subdivision 3. 60.630. I-3 Industrial District.

Sec. 66.514. ~~60.631.~~ Intent, I3 Restricted Industrial District.

The I-3 **Restricted** Industrial District is intended to provide sites for the development of extensive uses which are or can be objectionable or hazardous unless surrounded by other types of industrial districts.

(Code 1956, § 60.551)

Sec. ~~60.632.~~ Principal uses permitted. [Replaced with §66.521. *Principal Uses in Industrial Districts* and new Chapter 65. *Land Use Definitions and Development Standards.*]

Sec. ~~60.633.~~ Required conditions. [Moved to §66.540. *Required Conditions.*]

Sec. ~~60.634.~~ Principal uses subject to special conditions. [Replaced with §66.521. *Principal Uses in Industrial Districts* and new Chapter 65. *Land Use Definitions and Development Standards.*]

Sec. ~~60.635.~~ Area, bulk and yard setback requirements. [Replaced with §66.531. *Density and dimensional standards table* for industrial districts.]

Division 2. 66.520. Principal Uses in Industrial Districts

Sec. 66.521. Principal uses.

Table 66.521. Principal Uses in Industrial Districts lists all permitted and conditional uses in the IR-I3 Industrial Districts, and notes applicable development standards and conditions.

Table 66.521. Principal Uses in Industrial Districts

Use	IR	I1	I2	I3	Development Standards
Residential Uses					
Mixed Commercial-Residential Uses					
Home Occupation	P	P	P		✓
Mixed residential and commercial use	P	P	P		✓
Congregate Living					
Foster home, freestanding foster care home	P	P	P		✓
Community residential facility, licensed human service	P	P	P		✓
Community residential facility, licensed correctional		C	C		✓
Community residential facility, health department licensed		C	C		✓
Correctional facility		C	P	C	
Emergency housing facility		C	C		✓
Overnight shelter		C	C		✓
Shelter for battered persons	P	P	P		✓
Transitional housing facility	P	P	P		✓
Hospice	P	P	P		✓
Civic and Institutional Uses					
Educational Facilities					
Group day care	P-€	P	P		✓
School, grades K-12	P	P	P		
College, university, seminary, etc.	P	P	P		✓
Trade school, arts school, dance school, etc.	P	P	P		
Social, Cultural, and Recreational Facilities					
Club, fraternal organization, lodge hall	P	P	P		
Public Library	P	P	P		
Public and private park, playground	P	P	P		
Recreation, noncommercial	P	P	P		
Religious Institutions					
Church, chapel, synagogue, place of worship	P	P	P		
Rectory, parsonage	P	P	P		
Convent, monastery, religious retreat	P	P	P		
Public Services and Utilities					
Antenna, cellular telephone	P/C	P/C	P	P	✓
Antenna, public utility microwave	C	C	P	P	✓
Antenna, radio and television transmitting	C	C	P	P-€	✓
Antenna, satellite dish	C	C	P	P-€	✓
Electric transformer or gas regulator substation	P	P	P	P	
Municipal building or use	P	P	P		
Municipal incinerator			P	P-€	
Power plant			P	P-€	
Public utility heating or cooling plant		P	P	P	
Public works yard or maintenance facility		P	P	P-€	
Sewage treatment plant			P	P-€	
Utility or public service building or yard	P	P	P	P-€	
Water supply plant	P	P	P	P-€	

Use	IR	I1	I2	I3	Development Standards
Yard waste site, commercial and municipal		C	C	P-E	✓
Commercial Uses					
Offices					
Administrative office	P	P	P		
Artist, photographer studio, etc.	P	P	P		
Insurance office, real estate office, sales office	P	P	P		
Professional office	P	P	P		
Medical Facilities					
Clinic, medical or dental	P	P	P		
Hospital	P	P	P		
Medical laboratory	P	P	P		
Veterinary clinic	P	P	P		✓
Retail Sales and Services					
General retail	P	P	P		
Bank, credit union	P	P	P		
Business sales and services	P	P	P		
Currency exchange	P	P	P		✓
Drive-through sales and services, primary and accessory	P	P	P		✓
Dry cleaning, commercial laundry	P	P	P		
Food and related goods sales	P	P	P		
Food shelf	P	P	P		
Garden center, outdoor	P	P	P		✓
Greenhouse	P-E	P-E	P-E		✓
Gun shop, shooting gallery		C	P	P-E	✓
Laundromat, self-service	P	P	P		
Liquor store	P	P	P		
Massage center	P	P	P		
Mortuary, funeral home		P	P		
Outdoor uses, commercial		C	P		✓
Package delivery service	P	P	P		
Pawn shop		C	P		✓
Photocopying	P	P	P		
Post office	P	P	P		
Service business	P	P	P		
Service business with showroom or workshop	P	P	P		
Small appliance repair	P	P	P		
Small engine repair, automotive bench work	P	P	P		
Tattoo shop	P	P	P		
Tobacco shop	P	P	P		
Food and Beverages					
Brew on premises store	P	P	P		
Catering	P	P	P		
Coffee kiosk	P	P	P		
Coffee shop, tea house	P	P	P		
Restaurant	P	P	P		

Use	IR	I1	I2	I3	Development Standards
Restaurant, carry-out-deli	P	P	P		
Restaurant, fast food	P/C	P	P		✓
Restaurant, outdoor	P	P	P		✓
Commercial Recreation, Entertainment and Lodging					
Bed and breakfast residence	P	P	P		
Bingo hall, auction hall	P	P	P		
Health/sports club	P	P	P		
Hotel, inn, motel	P	P	P		
Indoor recreation	P	P	P		✓
Outdoor (drive-in) theater		C	P	P-€	✓
Race track		C	P	P-€	
Reception hall	P	P	P		
Steam room/bathhouse facility	P	P	P		
Theater, assembly hall, concert hall	P	P	P		
Adult Entertainment					
Adult use		C	C		✓
Automobile Services					
Auto body shop		P	P	P-€	
Auto convenience market	P	P	P		✓
Auto service station		P	P		✓
Auto speciality store	P	P	P		✓
Auto repair station		P	P		✓
Auto sales, indoor		P	P		
Auto sales and rental, outdoor		P	P		✓
Car wash		P-€	P		✓
Parking facilities					
Parking facility, commercial		P	P	C	
Transportation					
Airport		C	C	C	
Bus garage, station, lot, or turnaround		P	P	C	
Heliport		C	C	C	✓
Helistop	C	C	C	C	✓
Intermodal freight yard			C	C	✓
Motor freight terminal			C	C	✓
Railroad right-of-way, transfer and storage tracks	P	P	P	P	
Railroad station or terminal freight facility	P	P	P	C	
Railroad yard or shop	C	C	P	P-€	
Taxi dispatching, maintenance and storage		P	P	P-€	
Limited Production, Processing and Storage					
Finishing shop	P	P	P		✓
Limited production and processing	P	P	P		✓
Mail order house	P	P	P		
Malt liquor manufacturing	P	P	P		
Plastic products	P	P	P		
Printing and publishing	P	P	P		

Use	IR	I1	I2	I3	Development Standards
Recycling collection center		P	P		✓
Recycling drop-off station	P	P	P		✓
Storage facility, rental		P	P	P-€	
Toiletries and cosmetic manufacturing	P	P	P		
Warehousing and storage	P	P	P		
Wholesale establishment	P	P	P		
Industrial Uses					
Light manufacturing	P	P	P	C	
General industrial			P	P-€	
General outdoor processing			C	C	✓
Brewery, micro and regional	P	P	P		
Brewery, national			P		
Concrete, asphalt and rock crushing facility				C	✓
Greenhouse, industrial	P	P	P		
Hazardous waste processing facility			C	C	✓
Infectious waste incinerator				C	✓
Infectious waste processing facility			C	C	✓
Lumber yard	P	P	P		
Mining			C	C	
Motor vehicle salvage operation			C	C	✓
Petroleum and gasoline tank farms				P	
Recycling processing center, indoor		P	P	P-€	✓
Recycling processing center, outdoor			C	C	✓
Rendering plants and tanning				P	
Research, development and testing laboratory	P	P	P		
Solid waste compost facility			C	C	✓
Solid waste transfer station			P	C	
Tire retreading	P	P	P	P-€	
Accessory Uses					
Accessory use	P	P	P	P	

Division 3. 66.530. Industrial District Density and Dimensional Standards

~~Sec. 61.104. Industrial Districts.~~

Sec. 66.531. Density and dimensional standards table.

Table 66.531. Industrial District Dimensional Standards sets forth density and dimensional standards that are specific to Industrial Districts. These standards are in addition to the provisions of *Chapter 63. Regulations of General Applicability*.

Table 66.531. Industrial District Dimensional Standards

Zoning District		Floor Area Ratio (FAR)	Height Maximum		Yard Setbacks Minimum (feet)		
		Maximum	Stories	Feet	Front	Side	Rear
IR	River Corridor Industrial	2.0	3 a	30 a	0 c,d,e,f	0 c,f	0 c, f
I1	Light Industrial	2.0	b	50 b	0 c,d,e,f	0 c,f	0 c, f
I2	General Industrial	3.0	b	75 b	0 c,d,e,f	0 c,f	0 c, f
I3	Restricted Industrial	1.0	b	75 b	0 c,d,e,f	0 c,f	0 c, f

[This table replaces the old *Sec. 61.104. Industrial districts* schedule of regulations table and the RCI-1 River Corridor Industrial portion of the old *Sec. 61.105. Special districts* schedule of regulations table. Changes to the numbering and text of the notes to these old tables are noted below. Generally, there is more logical organization and simpler, more straightforward language consistent with notes for the other dimensional standards tables.]

Notes to **Table 66.531. 61.104. Industrial Districts Dimensional Standards:**

- (am) Buildings may exceed three (3) stories or thirty (30) feet in height but only after approval by the planning commission as a **conditional** permitted use subject to special conditions. No such building ~~dwelling~~ shall exceed one hundred fifty (150) feet in height.
- (ba) The height regulation shall not apply to those portions of any building or of the structure **may exceed the maximum building height allowed in the district provided the structure is** ~~which are~~ set back from ~~any~~ **all** exterior property lines of the parcel, ~~on which such building or structure is constructed;~~ a distance equal to the height which said structure exceeds the maximum **building** height of ~~building~~ allowed in ~~said~~ **the** district.
- (cb) On those lots or parcels, or portions of lots or parcels, which are located directly across a street or abut a side or rear lot line in any use district; other than an **IR**, I-1, I-2, I-3, or **PV**=~~I~~ District, the required setbacks from said abutting districts shall be equal to a minimum of one and one-half (1½) times the height of the buildings, except as noted in section 63.102**3**.
- (de) On those lots or parcels, or portions of lots or parcels, which adjoin a right-of-way line of a parkway, the required setbacks from the parkway right-of-way line shall be equal to that required for residential uses in effect along the parkway right-of-way or twenty-five (25) feet, whichever is greater. ~~(f) Those~~ **The following** parkways and portions of parkways ~~listed below~~ are excluded from ~~the this~~ setback requirements ~~established in subsection (e) above:~~ Ford Parkway (from **Kenneth Street to Finn Street** and northern side **between Finn Street and from Mount Curve Boulevard to Mississippi River Boulevard**), **Gannon Road**, and Lexington Parkway (from Pierce Butler Route to the nearest Burlington Northern Railroad tracks).
[Amended to be consistent with *Sec. 66.431(d)* in notes to Table 66.431. Business District Dimensional Standards.]
- (ee) Where the frontage of any block is divided into two (2) or more zoning districts, the front yard requirements of the district with the largest front yard depth shall be applied to the entire block frontage.
- (fd) Nonrequired front yards and all required and nonrequired side and rear yards shall be permitted to be used for off-street parking. Loading and unloading shall not be permitted in any required front, side or rear yards.

(Code 1956, § 61.104; Ord. No. 17204, 1-15-85; Ord. No. 17778, § 2, 10-11-90; C.F. No. 92-1479, § 19, 12-15-92; C.F. No. 93-1718, § 64, 12-14-93; C.F. No. 96-462, § 7, 6-5-96)

NOTES TO 61.105 SPECIAL DISTRICTS:

- (a) ~~The intent of this district is to permit planned development throughout the city which shall be~~

substantially in accord with the comprehensive plan of future land use. In reviewing planned developments, the planning commission may use as guides the standards for the individual districts as set forth in this "Schedule of Regulations," Chapter 61.

[Covered in language added to Article VIII. PD Planned Development District, Sec. 66.805(e).]

(b) [Moved to Article VII. PV Vehicular Parking District.]

(c) [Moved to Article VII. PV Vehicular Parking District.]

(d), (e) Reserved.

(f) For multiple-family dwellings no more than three (3) stories or thirty (30) feet in height, the total number of rooms (not including kitchen, dining and sanitary facilities) shall not be more than the area of the parcel, in square feet, divided by six hundred (600):

For multiple-family dwellings over three (3) stories or thirty (30) feet in height, the total number of rooms (not including kitchen, dining and sanitary facilities) shall not be more than the area of the parcel, in square feet, divided by three hundred (300):

For the purpose of computing the permitted number of dwelling units, the following room assignments shall control:

One bedroom = 2 rooms

Two bedroom = 3 rooms

Three bedroom = 4 rooms

Four bedroom = 5 rooms

Plans presented showing one, two (2), three (3) or four (4) bedroom units and including a "den," "library" or other extra room shall count such extra room as a bedroom for the purpose of computing density. Efficiency apartments shall have the same room assignment as a one-bedroom unit.

The area used for computing density shall be the zoning lot area plus half of the width of any alley adjoining the lot.

No multiple-family dwelling shall be built, nor shall any existing structure be converted to a multiple-family dwelling, on a zoning lot which is less than ten thousand (10,000) square feet in area.

(g) When townhouses are developed, the regulations of section 61.101, notes (c) and (f) shall apply.

(h) Bonuses for underground parking shall apply according to the regulations of section 61.101, note (g):

(i) Multiple-family dwellings may exceed three (3) stories or thirty (30) feet in height but only after approval by the planning commission as a permitted use subject to special conditions. No such multiple-family dwelling shall exceed one hundred fifty (150) feet in height.

(j) For uses other than residential uses, the regulations of section 61.101, note (b) shall apply.

(k) When two (2) or more buildings are constructed on the parcel, there shall be a distance of at least thirty (30) feet between buildings.

(l) For multiple-family dwellings over three (3) stories or thirty (30) feet in height, the following

minimum yard setbacks shall apply:

	Side		
Front	Minimum	Total of Two	Rear
50	50	100	50

[Deleted paragraphs (f) through (l) above pertain to the RCR-1 River Corridor Residential and RCC-1 River Corridor Commercial Districts, which no longer exist.]

~~(m)~~ [Moved to item (a) above.]

~~(n)~~ No side or rear yards are required along the interior lot lines of the district, except as otherwise specified in the building code; provided, that if walls of structures facing such interior lot lines contain windows, or other openings, yards of not less than ten (10) feet shall be provided. Side and rear yards of at least ten (10) feet shall be required when the district adjoins a side yard in an adjacent residence district. [This paragraph pertains to the RCC-1 River Corridor Commercial District, which no longer exists.]

~~(o)~~ Off-street loading space shall be provided in the rear yard in accordance with the requirements of section 62.105. [Covered in item (f) above and in §63.400 Off-Street Loading and Unloading.]

~~(p)~~ [Moved to item (c) above.]

~~(q)~~ Nonrequired front yards and all required and nonrequired side and rear yards shall be permitted to be used for off-street parking. Loading and unloading shall be permitted in all nonrequired side and rear yards. [Moved to item (f) above.]

(Code 1956, § 61.105; Ord. No. 17117, 3-22-84; Ord. No. 17204, 1-15-85; Ord. No. 17222, § 3, 3-14-85; Ord. No. 17511, § 4, 11-12-87; C.F. No. 92-1479, § 20, 12-15-92)

Division 4. 66.540. Required Conditions

Sec. ~~66.541. 60.613.~~ Required conditions in the IR-I3 Industrial Districts.

The following conditions shall be required of all uses in the I-1 Industrial District:

- ~~(a3)~~ **Outdoor storage.** Outdoor storage shall be is permitted subject to the following conditions:
- ~~(1a.)~~ Except as provided in section ~~632.11308(f)~~, outdoor storage shall be no closer than three hundred (300) feet to a residential district or to a property occupied with a one-, two-, three-, four-, townhouse or multiple-family dwelling.
 - ~~(2b.)~~ Outdoor storage shall be fenced or walled. Outdoor storage which abuts a thoroughfare, a business district or a PD district shall be behind a six-foot-high obscuring fence. However, an obscuring fence shall not be required if the outdoor storage is screened by a building or topography. On sites where the topography renders an obscuring fence ineffectual as a screen, landscape screening shall be required.
- ~~(b2)~~ **Outdoor uses.** In the IR, II, and I3 Industrial Districts, all business, servicing, processing or manufacturing shall be conducted within completely enclosed buildings. ~~Provided, however, that the following uses may be conducted outdoors if specifically allowed as a permitted use or special condition use:~~ except for off-street parking, off-street loading , and or outdoor uses

specifically allowed as permitted or conditional uses ~~businesses and outdoor businesses with outdoor storage.~~

- (c†) Activities involving storage, utilization or manufacture of materials or products which contain their own oxidizing agent and which decompose by detonation are not permitted in the ~~IR-I1 Industrial Districts~~; provided, ~~that storage~~ of small arms ammunition ~~when stored~~ for retail ~~sale~~ shall be permitted; and further provided, that research, medical and hospital laboratories, when operating under the direct supervision of scientifically trained personnel, may use the above material for research, medical and development purposes. ~~Such activities are allowed in the I2 General Industrial District when specifically authorized under the codes and ordinances of the City of Saint Paul.~~

(Code 1956, § 60.533; Ord. No. 16913, 4-27-82; Ord. No. 17039, 7-7-83; C.F. No. 92-1479, § 11, 12-15-92; C.F. No. 93-1718, § 54, 12-14-93)

~~Sec. 60.623. Required conditions.~~

~~The following conditions shall be required in the I-2 Industrial District:~~

- (1) ~~Activities involving the storage, utilization or manufacture of materials or products which contain their own oxidizing agent and which decompose by detonation are permitted in the I-2 District when specifically authorized under the codes and ordinances of the City of Saint Paul.~~
- (2) ~~Outdoor storage shall be permitted subject to the following conditions:~~
- ~~a. Except as provided in section 62.108(f), outdoor storage shall be no closer than three hundred (300) feet to a residential district or to a property occupied with a one-, two-, three-, four-, townhouse or multiple-family dwelling.~~
 - ~~b. Outdoor storage shall be fenced or walled. Outdoor storage which abuts a thoroughfare, a business district or a PD district shall be behind a six-foot-high obscuring fence. However, an obscuring fence shall not be required if the outdoor storage is screened by a building or topography. On sites where the topography renders an obscuring fence ineffectual as a screen, landscape screening shall be required. [Moved to para. (a)-(c) above.]~~
- (d3) ~~Meat packing plants, large metal shredders, the refining of petroleum or gasoline, and stock yards, meat packing plants, large metal shredders, the incineration of infectious wastes and the crushing of rock, asphalt or concrete for recycling are prohibited in this district.~~

[Concrete, asphalt and rock crushing facility and infectious waste incinerator are listed in *Table 66.521. Principal Uses in Industrial Districts*, and development standards for them are included in new *Chapter 65. Land Use Definitions and Development Standards*.]

(Code 1956, § 60.543; Ord. No. 16913, 4-27-82; Ord. No. 17039, 7-7-83; C.F. No. 92-1479, § 12, 12-15-92; C.F. No. 93-906, § 3, 11-4-93; C.F. No. 93-1718, § 55, 12-14-93; C.F. No. 97-1406, § 3, 12-10-97)

~~Sec. 60.633. Required conditions.~~

~~The following conditions shall be required of all uses in the I-3 Industrial District:~~

- (1) ~~Except for off-street parking or loading, all business, servicing, processing or manufacturing shall be conducted within completely enclosed buildings.~~
- (2) ~~Outdoor storage shall be permitted subject to the following conditions:~~
- ~~a. Except as provided in section 62.108(f), outdoor storage shall be no closer than three hundred (300) feet to a residential district or to a property occupied with a one-, two-, three-, four-, townhouse or multiple-family dwelling.~~

~~b. Outdoor storage shall be fenced or walled. Outdoor storage which abuts a thoroughfare, a business district or a PD district shall be behind a six-foot-high obscuring fence. However, an obscuring fence shall not be required if the outdoor storage is screened by a building or topography. On sites where the topography renders an obscuring fence ineffectual as a screen, landscape screening shall be required.~~

~~(3) The refining of petroleum or gasoline, stock yards, meat packing plants, and large metal shredders are prohibited in this district.~~

~~(C.F. No. 92-1479, § 16, 12-15-92; C.F. No. 93-906, § 5, 11-4-93; C.F. No. 93-1718, § 57, 12-14-93; C.F. No. 97-1406, § 4, 12-10-97) [All of this language is covered in Sec. 66.541 above.]~~

Sec. 60.754. Standards for principal uses subject to special conditions:

Before the planning commission may grant approval of a principal use subject to special condition, the commission shall find that the use meets all of the following standards:

~~(1) The use will promote the public peace, health, safety and welfare.~~

~~(2) The use will be in compliance with the Saint Paul Comprehensive Plan.~~

~~(3) The use will promote and enhance critical view corridors between the river and river valley and surrounding bluffs as set forth in the comprehensive plan.~~

~~(4) The extent, location and intensity of the use will be in substantial accord with the comprehensive plan.~~

~~(5) The use will conform to the applicable regulations of the zoning district and river corridor overlay zoning district in which the use is located.~~

~~(6) The use will provide adequate ingress and egress to minimize traffic congestion in the public streets.~~

~~(7) The use will not create nor tend to create an excessive nuisance in the area.~~

~~(8) The use will not adversely affect property values.~~

~~(Ord. No. 17511, § 1, 11-12-87; Ord. No. 17670, § 2, 7-20-89)~~

~~[This is already covered in the general standards for all conditional uses in the administration and enforcement chapter.]~~

Sec. 66.542. 60.755. IR River Corridor Industrial District special setbacks.

Notwithstanding any other yard or setback requirement of the zoning code, the following special setbacks shall apply to all principal uses permitted **and conditional** ~~and principal uses permitted subject to special conditions~~ within the **IR River Corridor Industrial District**:

~~(a)~~ **(a)** No off-street parking facility shall be located within one hundred (100) feet of the normal high-water level of the Mississippi River, except river basins, unless the facility is within a completely enclosed building containing **a** principal uses permitted or **conditional** ~~principal uses permitted subject to special conditions~~. Parking in local parks may be located closer than one hundred (100) feet to the normal high-water level provided the parking is adequately landscaped and the parking location has been reviewed by the planning commission and approved by the city council in a park development plan.

~~(b2)~~ **(b2)** In any yard which adjoins a publicly owned park, buildings may be constructed at the lot line subject to setbacks being provided in accordance with the table below:

Park Setbacks

Story of Building Height (stories)	Setback from Lot Line
1, 2, and 3	0
4	15 feet
5	30 feet
6 and over	45 feet

(Ord. No. 17511, § 1, 11-12-87)

Sec. 60.775. Required conditions.

The following conditions are required in the RCI-1 District:

- (1) Activities involving storage, utilization or manufacture of materials or products which contain their own oxidizing agent and which decompose by detonation are not permitted in the RCI-1 District; provided, that small arms ammunition when stored for retail shall be permitted; and further provided, that research, medical and hospital laboratories, when operating under the direct supervision of scientifically trained personnel, may use the above material for research, medical and development purposes.
- (2) All business, servicing, processing or manufacturing shall be conducted within completely enclosed buildings. Provided, however, that the following uses may be conducted outdoors if specifically allowed as a permitted use or special condition use: off-street parking, off-street loading or outdoor businesses and outdoor businesses with outdoor storage.
- (3) Outdoor storage shall be subject to the following conditions:
 - a. Except as provided in section 62.108(f), outdoor storage shall be no closer than three hundred (300) feet to a residential district or to a property occupied with a one-, two-, three-, four-, townhouse or multiple-family dwelling.
 - b. Outdoor storage shall be fenced or walled. Outdoor storage which abuts a thoroughfare, a business district or a PD district shall be behind a six-foot-high obscuring fence. However, an obscuring fence shall not be required if the outdoor storage is screened by a building or topography. On sites where the topography renders an obscuring fence ineffectual as a screen, landscape screening shall be required.

(Ord. No. 17511, § 3, 11-12-87; C.F. No. 92-1479, § 18, 12-15-92; C.F. No. 93-1718, § 61, 12-14-93)

[This language is already in Sec. 66.541 above.]

ARTICLE VI. 66.600. Reserved.

[Reserved for Civic and Open Space Districts]

ARTICLE VII. 66.700. VP VEHICULAR PARKING DISTRICT

Subdivision 2. 60.720. P-1 Vehicular Parking District

Sec. 66.7021. Intent.

The VP-1 Vehicle Parking District is intended to permit the establishment of off-street parking facilities to be used solely for off-street parking of private passenger vehicles as a use incidental to a principal use. The district will serve a use district which has developed without adequate off-street

parking.

(Code 1956, § 60.571; Ord. No. 17204, 1-15-85)

Sec. 660.7022. Principal uses permitted.

Premises in such districts shall be used only for an off-street vehicular parking facility and shall be developed and maintained subject to such conditions as are hereinafter required.

(Code 1956, § 60.572; Ord. No. 17204, 1-15-85)

Sec. 661.703105. Dimensional standards Special districts.

- (a**b**) *Lot size.* The lot shall have a minimum area of four thousand (4,000) square feet and a minimum width of forty (40) feet. In those instances wherein a VP-1 District abuts a dedicated public alley of at least twenty (20) feet in width, the lot width may be reduced to twenty (20) feet and lot area to two thousand (2,000) square feet if the planning commission finds that the alley can be used as the parking lot maneuvering lane without conflicting with traffic.
- (b) *Height of structures.* Structures shall have a maximum height of one (1) story and fifteen (15) feet.
- (c) *Yard setbacks.* The minimum front yard setback shall be four (4) feet. If the districts adjoining the VP-1 District require a greater front yard setback, the minimum frontage yard setbacks shall be equal to at least the minimum required front yard setback standards set forth in the "Schedule of Regulations" which pertain to dimensional standards for the adjoining districts shall be provided. A visual screen shall be located on the minimum setback line. Minimum side and rear yard setbacks shall be four (4) feet.

[This section replaces the P-1 Vehicular Parking portion of the old *Sec. 61.105 Special districts* schedule of regulations table.]

Sec. 660.70423. Required conditions.

~~The following conditions shall be required in the P-1 Vehicular Parking District.~~

- (a**1**) The parking facility shall be accessory to and for use in connection with one or more businesses, industries, institutions, or multifamily residences.
- ~~(2) The parking facility shall not be used during hours when the principal use is not in operation. During such periods the parking facility shall be inaccessible for public use. When there is a written agreement between two (2) or more buildings or uses to share a parking facility in a P-1 District in accordance with section 62.103(f)(3) and (4), then the parking facility may remain open for all the hours of operation of the buildings or uses. [This condition is typically not necessary and not practical. If needed in special cases it can be added as a condition of site plan approval.]~~
- (b**3**) The parking facility shall be used solely for parking of private passenger vehicles and shall not be used as an off-street loading area.
- (c**4**) No commercial repair work or service of any kind, or sale or display thereof, shall be conducted in such parking facility.
- (d**5**) No signs of any kind, other than signs designating entrances, exits and conditions of use, shall be maintained on such parking facility.
- (e**6**) No building other than that for the shelter of attendants shall be erected upon the premises unless specifically approved by the planning administrator during site plan review.
- (f**7**) Applications for VP-1 District rezoning shall include a site plan which conforms to all

standards set forth in section ~~632.300~~~~104~~. The planning commission may grant modifications of section ~~632.300~~~~104~~ based on findings that such modification is consistent with the intent of the code and with the reasonable enjoyment of adjacent property.

- (g8) ~~VP~~~~+~~ Vehicular Parking Districts shall be developed and maintained in accordance with the requirements of section ~~632.300~~~~104~~.

(Code 1956, § 60.573; Ord. No. 17204, 1-15-85; C.F. No. 93-1718, § 58, 12-14-93)

ARTICLE VIII. 66.800. PD PLANNED DEVELOPMENT DISTRICT *

Subdivision 3. 60.730. PD Planned Development District*

*Editor's note--This ~~subdivision~~ **article** is derived from Code 1956, §§ 60.581--60.588, as further amended by Ord. No. 17117, adopted March 22, 1984.

Sec. ~~660.801~~~~731~~. Intent.

The PD Planned Development District is intended to permit more flexible and creative private or public development or redevelopment than is possible under standard zoning classifications. Planned developments shall be harmonious with the general surrounding uses, permitting flexibility in overall development while ensuring adequate safeguards and standards for public health, safety, convenience, and general welfare.

Sec. ~~660.802~~~~732~~. General requirements.

- (a) *General criteria.* Planned developments shall meet the following general criteria:
- (1) Parcels considered for planned development shall contain a minimum of one and five-tenths (1.5) acres.
 - (2) The PD shall be consistent with the comprehensive plan.
 - (3) Subdivision of land required by the development shall be concurrent with the rezoning.
 - (4) Except for phased development as described in section ~~660.812~~~~743~~, all development shall be completed within three (3) years of the effective date of the rezoning action unless specifically extended by the city council.
 - (5) Phasing of development is permitted. The preliminary plan shall indicate development for the total parcel for purposes of rezoning to planned development; final plans for separate phases shall be submitted as amendments prior to execution of each phase.
 - (6) If phasing is used, each phase of the PD shall be able to exist as an independent unit so that the area surrounding the PD can be planned and developed in a manner compatible with the PD.
- (b) *Procedures, fees.* Rezonings to planned development shall conform to procedures set forth in ~~section 64.400~~ **Chapter 61**. Fees for petitions and applications hereunder shall be established by resolution of the city council.

Sec. ~~60.733~~. Procedures.

Sec. ~~660.803~~~~734~~. Optional pre-application; sketch plan.

- (a) *Request.* Prior to proceeding with a rezoning to planned development, any person may request a pre-application conference with the office of planning administration to determine the feasibility of the plan; to determine whether or not it complies with the comprehensive plan and city requirements and standards; and to determine scheduling of procedures.
- (b) *Pre-application requirements.* For the purposes of pre-application discussions, the applicant shall submit:
 - (1) A site location map showing the relationship of the proposed planned development to surrounding uses and streets.
 - (2) A sketch plan of the proposed planned development showing:
 - a. Dimensions of the parcel and of individual lots, if included in the PD;
 - b. Indication of any outstanding physical characteristics of the property;
 - c. Proposed uses;
 - d. Residential densities;
 - e. Traffic circulation patterns and off-street parking within the development and relationship to existing streets;
 - f. Phasing schedule, if appropriate.

Sec. 660.804735. Application requirements for rezoning to Planned Development District.

Rezoning to planned development requires two (2) reviews and approvals; preliminary plan and final plan; these may be combined. Applications shall include the following information unless specifically waived in writing by the planning administrator.

Sec. 660.805736. Preliminary plan--Application.

Application requirements. The applicant shall supply twenty (20) copies of the following:

- (a+) Original rezoning petition certified as sufficient.
- (b2) A survey of the area to be included in the planned development (1" = 100' scale).
- (c3) Ground vertical contour intervals of the parcel at intervals of at least two (2) feet; slopes of twelve (12) percent or greater.
- (d4) A preliminary site plan of the area carried out in such detail as to show the proposed land uses, densities, common open spaces, system of collector streets, off-street parking and internal circulation. The preliminary plan shall include setbacks, building dimensions, landscaping and elevations. If elevation options are to be offered, that shall be stated.
- (e5) A written summary including a description of the proposed development and modifications in the requirements otherwise applicable to the property, including "~~Schedule of Regulations,~~ **dimensional standards**, population densities and land use intensities. **In reviewing planned developments, the planning commission may use density and dimensional standards for Residential, Traditional Neighborhood, and Industrial Districts as guides.** [Added language moved here from deleted *Note (a)* to deleted old *Sec. 61.105. Special districts density and dimensional standards table.*]
- (f6) If platting is required, a sketch plan for the proposed subdivision as described in section 697.309.
- (g7) If the planned development is to be constructed in phases, a construction schedule for the

completion of each phase.

Sec. ~~660.806~~⁷³⁷. Preliminary plan--Procedure.

- (a) Applications for rezoning to planned development shall be submitted to the planning administrator. Applications shall include the required fee and twenty (20) copies of the proposal.
- (b) The planning commission shall hold a public hearing and give mailed notice to all property owners within three hundred fifty (350) feet of the proposed planned development at least ten (10) days before the hearing.
- (c) The planning commission shall forward its recommendation to the city council, which shall also conduct a public hearing with mailed notice thereof to all property owners within three hundred fifty (350) feet of the proposed planned development at least ten (10) days before the hearing.
- (d) The city council may approve, deny, or approve with modifications the planned development. Approval of the preliminary plan shall be effective for a period of one year; no development shall take place therein unless the final plan is approved and adopted by the city council or the applicant withdraws the rezoning application.
- (e) If a final plan is not submitted within one year, the rezoning petition shall be void unless the city council grants an extension.

(C.F. No. 93-1718, § 59, 12-14-93)

Sec. ~~660.807~~⁷³⁸. Final plan.

- (a) *Application requirements.* The applicant shall supply twenty (20) copies of the following:
 - (1) An approved site plan which conforms to the preliminary plan and which includes any modifications required by the city council. The site plan shall include a detailed construction and landscaping schedule, elevations and, if applicable, elevation options.
 - (2) A preliminary plat if platting is required.
 - (3) Covenants or homeowners' association agreements if applicable.
- (b) *Procedure.* The planning administrator shall cause the final plan to be reviewed and approved in the manner set forth in section ~~612.1402~~⁸. If the final plan conforms to the preliminary plan, meets site plan standards, and reflects all modifications as required by the city council, the planning administrator shall forward it to the city council together with a recommendation for approval or denial. If in the planning administrator's opinion the final plan does not conform to the preliminary plan or does not meet site plan standards, the planning commission may hold a hearing and give mailed notice as described in section ~~660.806~~⁷³⁷.
- (c) *Final approval.* The city council shall give final approval of the rezoning to the planned development. Such approval shall be by ordinance. The city council may hold a public hearing.
- (d) *Plan part of ordinance; recordation; compliance.* Upon approval by the city council, the final plan shall become an integral part of the ordinance creating or amending the PD District and, for purposes of recordation, shall be referred to as "Planned Development No. _____," which number shall correspond to the number of the amending ordinance. All approved plans shall be filed with the city clerk. All development within the planned development shall be in compliance with the final plan as adopted by ordinance unless such change constitutes a minor

change as described in section ~~660.810741~~.

Sec. ~~660.808739~~. Combining preliminary and final plans.

The applicant for rezoning to planned development may submit preliminary and final application requirements together for combined review and approval.

Sec. ~~660.809740~~. Required findings.

The planning commission and city council shall make the following findings in approving a rezoning to PD Planned Development District:

- (a~~1~~) The proposed development is not in conflict with the comprehensive plan;
- (b~~2~~) The proposed development is designed to provide a desirable and unified environment within its own boundaries;
- (c~~3~~) The proposed uses will not be detrimental to present or future land uses in the surrounding area;
- (d~~4~~) The exceptions to the standard requirements in the schedule of regulations are justified by the design of the development;
- (e~~5~~) The PD or phase thereof is of sufficient size, composition and arrangement that its construction, marketing and operation make it feasible as a complete unit without dependence upon any subsequent unit;
- (f~~6~~) The proposed development will not create an excessive burden on parks, schools, streets, or other public facilities and utilities which serve or are proposed serve the PD;
- (g~~7~~) The proposed development is consistent with the reasonable enjoyment of neighboring property.

Sec. ~~660.810741~~. Changes in final plan.

- (a) *Minor changes.* Minor changes in the location, design, placement and height of buildings; landscaping; uses and density; or site plan may be authorized by the planning administrator if required by engineering or other circumstances which were unforeseen at the time the final plan was approved.
- (b) *Major changes.* Changes to the final plan affecting density, use and site plan which the planning administrator determines to be a major alteration of the final plan shall require amendment by the city council.
- (c) *Amendment of the final plan.* Amendments to the final plan may be approved by the city council, by ordinance, when those amendments are in substantial agreement with the preliminary plan and when those amendments are required by changes in conditions that have occurred since the final plan was approved. In the case of a phased planned development, final plans for phases subsequent to Phase I shall be treated as amendments.

The planning commission and the city council shall hold public hearings on amendments to the final plan and shall give mailed notice to all property owners within three hundred fifty (350) feet of the PD at least ten (10) days before the hearings.

Changes to the final plan shall be recorded as amendments to the recorded copy of the final plan.

Sec. ~~660.811742~~. Failure to complete the planned development.

All development shall be in compliance with the final plan. In the event the applicant fails to complete the development, the parcel reverts to its previous zoning classification.

Sec. ~~660.812~~⁷⁴³. Phasing of planned development.

If a planned development is to be developed in phases, the following requirements apply:

- (~~a~~¹) The parcel shall be a minimum of five (5) acres in size.
- (~~b~~²) Phases shall be designed to be capable of functioning as independent units. One phase shall not preclude subsequent development of a parcel in the event the entire PD is not developed.
- (~~c~~³) Phase I of any PD shall constitute at least one-third of the total PD.
- (~~d~~⁴) In the case of phased development, the entire PD shall be developed within five (5) years of the rezoning unless extended by the city council.
- (~~e~~⁵) In the case of phased development, the city council may accept in lieu of a final plan for the entire PD the following: a final plan for Phase I, a preliminary plan for other phases, and a schedule of phasing. Final plans for subsequent phases shall be treated as amendments as described in section ~~660.810~~⁷⁴¹.